

AIR POLLUTION CONTROL DISTRICT



September 26, 2018

Carol Sutkus, Manager  
California Air Resources Board  
1001 I Street  
PO Box 2815  
Sacramento, CA 95812

Re: Imperial County Air Pollution Control District (Air District) Rules 101, 428, 429 and 804 Request for State Implementation Plan (SIP) submittal.

Dear Ms Sutkus

On September 11, 2018, the Imperial County Air Pollution Control District Board of Directors (Air Board) unanimously adopted new and revised rules fulfilling commitments made under the Moderate area Ozone and PM<sub>2.5</sub> State Implementation Plans (SIPs).

REVISED RULES

Rule 101	Definitions
Rule 804	Open Areas

NEWLY ADOPTED RULES

Rule 428	Wood Burning Appliances
Rule 429	Mandatory Episodic Curtailment of Wood and Other Solid Fuel Burning

Therefore, the Air District is forwarding to CARB and requesting that CARB forward to the United States Environmental Protection Agency, Region IX the listed rules above as a SIP revision to Imperial County portion of the California SIP. Should you have any questions please do not hesitate to contact me at (442) 265-1800.

Respectfully,

Monica N. Soucier  
APC Division Manager

cc: Doris Lo, Rulemaking Office Chief USEPA Region IX

CALIFORNIA AIR RESOURCES BOARD

**SIP COMPLETENESS CHECKLIST**  
(Electronic Format)

\*\*\* TO BE COMPLETED BY DISTRICT AND RETURNED TO ARB \*\*\*

All rules submitted to the EPA as State Implementation Plan (SIP) revisions must be supported by certain information and documentation for the rule packages to be deemed complete for review by the EPA. Rules will not be evaluated for approvability by the EPA unless the submittal packages are complete. To assist you in determining that all necessary materials are included in rules packages sent to the ARB for submittal to the EPA, please fill out the following form and include it with the rule package you send ARB. See the ARB's Guidelines on the Implementation of the 40 CFR 51, Appendix V, for a more detailed explanation than is provided here. Adopted rules and rule amendments should be checked against U.S. EPA's Guidance Document for Correcting Common VOC & Other Rule Deficiencies (Little Blue Book, August 21, 2001) to ensure that they contain no elements which will result in disapproval by EPA.

District: Imperial County

Rule No: 101

Rule Title: Rule 101 Definitions

Date Adopted or Amended: September 11, 2018

**ADMINISTRATIVE MATERIALS**

*Note: All documents should be in electronic format. Items that have signatures, initials, or stamps may be scanned.*

<u>Attached</u>	<u>Not Attached</u>	<u>N/A</u>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b><u>COMPLETE COPY OF THE RULE:</u></b> Provide an unmarked copy of the entire rule as adopted or amended by your District Board.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b><u>UNDERLINE AND STRIKEOUT COPY OF THE RULE:</u></b> If an amended rule, provide a complete copy of the rule indicating in underline and strikeout format all language which has been added, deleted, or changed since the rule was last adopted or amended.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b><u>COMPLETE COPY OF THE REFERENCED RULE(S):</u></b> For any rule which includes language specifically referencing another rule, a copy of that other rule must also be submitted, unless it has already been submitted to EPA as part of a previous SIP submittal.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b><u>PUBLIC NOTICE EVIDENCE:</u></b> Include a copy of the local newspaper clipping certification(s), stating the date of publication, which must be at least 30 days before the hearing. As an alternative, include a copy of the actual published notice of the public hearing as it appeared in the local newspaper(s). In this case, however, enough of the newspaper page must be included to show the date of publication. The notice must specifically identify by title and number each rule adopted or amended.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b><u>RESOLUTION/MINUTE ORDER:</u></b> Provide the Board Clerk certified resolution or minute order. This document must include certification that the hearing was held in accordance with the information in the public notice. It must also list the rules that were adopted or amended, the date of the public hearing, and a statement of compliance with California Health and Safety Code Sections 40725-40728 (Administrative Procedures Act).
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b><u>PUBLIC COMMENTS AND RESPONSES:</u></b> Submit copies of written public comments made during the notice period and at the public hearing. Also submit any written responses prepared by the District staff or presented to the District Board at the public hearing. A summary of the public comments and responses is adequate. If there were no comments made during the notice period or at the hearing, please indicate N/A to the left.

CALIFORNIA AIR RESOURCES BOARD

**SIP COMPLETENESS CHECKLIST**  
(Electronic Format)

**TECHNICAL MATERIALS**

<u>Attached</u>	<u>Not Attached</u>	<u>N/A</u>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b><u>RULE EVALUATION FORM:</u></b> See instructions for completing the Rule Evaluation Form and the accompanying sample form.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b><u>NON-EPA TEST METHODS:</u></b> Attach all test methods that are referenced in your rule that do not appear in 40 CFR 51, 60, 61, 63, or have not been previously submitted to EPA. EPA methods used in other media such as SW846 for solid waste are not automatically approved for air pollution applications. Submittal of test methods that are not EPA-approved should include the information and follow the procedure described in Region 9's "Test Method Review & Evaluation Process."
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b><u>MODELING SUPPORT:</u></b> Provide if appropriate. In general, modeling support is not required for VOC and NOx rules to determine their impacts on ozone levels. Modeling is required where a rule is a relaxation that affects large sources ( $\geq$ 100 TPY) in an attainment area for SO <sub>2</sub> , directly emitted PM <sub>10</sub> , CO, or NO <sub>x</sub> (for NO <sub>2</sub> purposes). In cases where EPA is concerned with the impact on air quality of rule revisions which relax limits or cause a shift in emission patterns in a nonattainment area, a reference back to the approved SIP will be sufficient provided the approved SIP accounts for the relaxation and provided the approved SIP used the current EPA modeling guidelines. If current EPA modeling guidelines were not used, then new modeling may be required.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b><u>ECONOMIC AND TECHNICAL JUSTIFICATION FOR DEVIATIONS FROM EPA POLICIES:</u></b> The District staff report or other information included with the submittal should discuss all potential relaxations or deviations from RACT, RACM, BACT, BACM, enforceability, attainment, RFP, or other relevant EPA requirements. This includes, for example, demonstrating that exemptions or emission limits less stringent than the presumptive RACT (e.g., a CTG) meet EPA's 5 percent policy, and demonstrating that all source categories exempted from a RACM/BACM rule are de minimus according to EPA's RACM/BACM policy.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b><u>ADDITIONAL MATERIALS:</u></b> Provide District staff reports and any other supporting information concerning development of the rule or rule changes. This information should explain the basis for all limits and thresholds contained in the rule.

**APCD/AQMD RULE EVALUATION FORM -- Page 1**  
(Electronic Format)

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**I. GENERAL INFORMATION**District: Imperial CountyRule No(s): 101 Date adopted/Amended/Rescinded: September 11, 2018Rule Title(s): DefinitionsDate Submitted to ARB: September 26, 2018 (Formal)If an Amended Rule, Date Last Amended (or Adopted): September 11, 2018Is the Rule Intended to be Sent to the U.S. EPA as a SIP Revision? ☒ Yes ☐ No (If No, do not complete remainder of form)District Contact: Monica Soucier Phone Number: 442-265-1800 E-mail Address: monicasoucier@co.imperial.ca.usNarrative Summary of New Rule or Rule Changes: ☐ New Rule ☒ Amended Rule**Rule 101 Definitions**Pollutant(s) Regulated by the Rule (Check): ☐ ROG ☐ (NOx) ☐ SO2  
☐ (CO) ☐ PM ☐ TAC (name): N/A**II. EFFECT ON EMISSIONS***Complete this section ONLY for rules that, when implemented, will result in quantifiable changes in emissions. Attach reference(s) for emission factor(s) and other information. Attach calculation sheet showing how the emission information provided below was determined.*Net Effect on Emissions: ☐ Increase ☐ Decrease ☒ N/AEmission Reduction Commitment in SIP for this Source Category: N/AInventory Year Used to Calculate Changes in Emissions: N/A Area Affected: N/AFuture Year Control Profile Estimate (Provide information on as many years as possible):  
N/A

**APCD/AQMD RULE EVALUATION FORM -- Page 2**  
(Electronic Format)

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Baseline Inventory in the SIP for the Control Measure: N/A

Emissions Reduction Commitment in the SIP for the Control Measure: N/A

Revised Baseline Inventory (if any): N/A

Revised Emission Reduction Estimate (if developed): N/A

*Note that the district's input to the Rule Evaluation Form will not be used as input to the ARB's emission forecasting and planning.*

**III. SOURCES/ATTAINMENT STATUS**

District is: ☐ Attainment ☒ Nonattainment ☐ Split

Approximate Total Number of Small (<100 TPY) Sources Affected by this Amendment: N/A

Percent in Nonattainment Area: N/A%

Number of Large ( $\geq$  100 TPY) Sources Controlled: N/A Percent in Nonattainment Area: N/A%

Name(s) and Location(s) (city and county) of Large ( $\geq$  100 TPY) Sources Controlled by Rule *(Attach additional sheets as necessary)*: N/A

**IV. EMISSION REDUCTION TECHNOLOGY**

Does the Rule Include Emission Limits that are Continuous? ☐ Yes ☒ No

If Yes, Those Limits are in Section(s) N/A of the Rule.

Other Methods in the Rule for Achieving Emission Reductions are: N/A

**V. OTHER REQUIREMENTS**

The Rule Contains:

Emission Limits in Section(s): N/A Work Practice Standards in Section(s): N/A

Recordkeeping Requirements in Section(s): N/A Reporting Requirements in Section(s): N/A

**APCD/AQMD RULE EVALUATION FORM -- Page 3**  
(Electronic Format)

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**VI. IMPACT ON AIR QUALITY PLAN**

☒ No Impact      ☐ Impacts RFP      ☐ Impacts attainment

Discussion: Rule 101 Definitions

**MINUTE ORDER  
OF  
AIR POLLUTION  
CONTROL BOARD**

<b>Date:</b> September 11, 2018	<b>Book:</b> 432	<b>Page:</b> 334	<b>File #:</b> 560.14	<b>M.O.#:</b> 21d
<b>X-File 1:</b>	<b>X-File 2:</b>	<b>X-File 3:</b>	<b>X-File 4:</b>	
<b>Department:</b> APCD		<b>2nd Page:</b>		

THE BOARD OF SUPERVISORS OF THE COUNTY OF IMPERIAL, STATE OF CALIFORNIA, on a motion by Supervisor : M. KELLEY , second by Supervisor : PLANCARTE and approved by the following roll call vote;

**AYES :** RENISON, PLANCARTE, M.KELLEY, CASTILLO

**NAYES :** NONE

**ABSTAINED :** NONE

**EXCUSED OR ABSENT :** R. KELLEY

**IN REFERENCE TO :**

**PUBLIC HEARING**

Adopted Revised Rule 101 Definitions and related findings.



<b>Topic:</b> Revised Rule 101	<b>X-Topic:</b> Definitions
<b>CC:</b> <div style="display: flex; flex-wrap: wrap; padding: 5px;"> <div style="width: 33%;"><input checked="" type="checkbox"/> File</div> <div style="width: 33%;"><input checked="" type="checkbox"/> Auditor</div> <div style="width: 33%;"><input type="checkbox"/> County Counsel</div> <div style="width: 33%;"><input type="checkbox"/> ICCED</div> <div style="width: 33%;"><input type="checkbox"/> Sheriff-Coroner</div> <div style="width: 33%;"><input checked="" type="checkbox"/> APCD</div> <div style="width: 33%;"><input type="checkbox"/> Behavioral Health</div> <div style="width: 33%;"><input type="checkbox"/> County Property</div> <div style="width: 33%;"><input type="checkbox"/> Planning</div> <div style="width: 33%;"><input type="checkbox"/> Social Services</div> <div style="width: 33%;"><input type="checkbox"/> Assessors</div> <div style="width: 33%;"><input checked="" type="checkbox"/> CEO</div> <div style="width: 33%;"><input type="checkbox"/> Health</div> <div style="width: 33%;"><input type="checkbox"/> Public Works</div> <div style="width: 33%;"><input type="checkbox"/> Other...</div> </div>	

**RULE 101 DEFINITIONS**

(Adopted 7/28/81; Revised 9/14/99; 1/16/2001; 12/11/2001; 08/13/02; 01/11/2005; 10/10/2006; 02/23/2010; 10/22/2013; 2/9/2016; 09/11/2018)

Except where the context otherwise indicates, the following definitions shall govern the implementation of these Rules and Regulations. Also, pursuant to Rule 115, definitions contained in applicable sections of the California Health and Safety Code and Title 17 of the California Code of Regulations, as well as the Federal Clean Air Act and implementing regulations, may be used even when not set forth herein.

**ACCELERATED VEHICLE RETIREMENT PROGRAM:** a program creating Actual Emission Reductions by the accelerated retirement of on-road motor vehicles for purposes of establishing Mobile Source Emission Reduction Credits (MSERC) pursuant to Rule 214.1.

**ACTUAL EMISSIONS:** measured or calculated emissions, which most accurately represent the emissions from an Emissions Unit. Determination of Actual Emissions must be based on average actual production rates, fuel consumption and/or throughput rates from the last consecutive 24 months. Emission factors shall be established by Source testing or obtained from AP-42 or other approved sources.

**ACTUAL EMISSIONS REDUCTIONS (AER):** reductions of Actual Emissions from an Emissions Unit, calculated pursuant to Section E.2 of Rule 207, which are Real, Quantifiable, Surplus, Permanent and Enforceable.

**ACTUAL INTERRUPTIONS OF POWER:** the interruption of electrical service by an unforeseeable event.

**ADDITIVE:** any substance added in small quantities to another substance or mixture in order to increase volume and/or change the physical properties of the mixture.

**ADHESION PROMOTER:** a Coating, which is labeled and formulated to be applied to uncoated plastic surfaces to facilitate bonding of subsequent Coatings, and on which, a subsequent Coating is applied.

**ADHESIVE:** any chemical substance that is applied for the purpose of bonding two surfaces together other than by mechanical means.

**ADHESIVE BONDING PRIMER:** a Coating applied in a very thin film to aerospace adhesive bond detail components for corrosion inhibition and adhesion of the subsequently applied adhesive.

**ADHESIVE BONDING PRIMER, STRUCTURAL:** an adhesive bonding primer used in conjunction with structural adhesives to form load carrying aircraft components.



**ADHESIVE BONDING PRIMER FOR ELASTOMERS AND ELASTOMERIC ADHERENTS:** an adhesive bonding primer applied to elastomers or nonmetallic substrates for adhesion of the subsequently applied adhesive.

**ADMINISTRATOR:** the Administrator of the United States Environmental Protection Agency (US EPA).

**AEROSPACE COMPONENT:** any fabricated part, assembly of parts or completed unit of any aircraft, helicopter, missile or space vehicle.

**AEROSOL COATING PRODUCT:** a pressurized Coating product containing pigments or resins that dispenses product ingredients by means of a propellant, and is packaged in a disposable can for hand held application, or for use in specialized Equipment for ground traffic/marketing applications.

**AFFECTED POLLUTANTS:** pollutants for which an Ambient Air Quality Standard (AAQS) have been established by the United States Environmental Protection Agency (US EPA) or the California Air Resources Board (CARB) and the Precursors to such pollutants, and those pollutants regulated by the US EPA under the Clean Air Act (CAA) or by the CARB under the Health and Safety Code (H&SC), except for greenhouse gases and hazardous air pollutants, including but not limited to Volatile Organic Compounds (VOC), nitrogen oxides (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), Particulate Matter with an aerodynamic diameter equal to or less than 10 micrometers (PM<sub>10</sub>), Particulate Matter with an aerodynamic diameter equal to or less than 2.5 micrometers (PM<sub>2.5</sub>), carbon monoxide (CO), lead, fluorides, sulfuric acid mist, hydrogen sulfide, and total reduced sulfur compounds. The term *Affected Pollutant* shall not include any or all hazardous air pollutants either listed in Section 112 of the CAA or added to the list pursuant to Section 112(b)(2) of the CAA, and which have not been delisted pursuant to Section 112(b)(3) of the CAA, unless the listed hazardous air pollutant is also regulated as a constituent or Precursor of a general pollutant listed under Section 108 of the CAA.

**AGRICULTURAL BURNING:** open outdoor fires used in agricultural operations in the growing of crops or raising of fowls or animals, or open outdoor fires used in forest management, range improvement, or the improvement of land for wildlife and game habitat, or disease or pest prevention.

**AGRICULTURAL BURNING:** also means open outdoor fires used in the operation or maintenance of a system for the delivery of water for the purposes specified above.

**AGRICULTURAL BURNING:** also means open outdoor fires used in wild land vegetation management burning. Wild land vegetation management burning is the use of prescribed burning conducted by a public agency, or through a cooperative agreement or contract involving a public agency, to burn land predominantly covered with chaparral, trees, grass, or standing brush. Prescribed burning is the planned application of fire to vegetation to achieve any specific objective on lands selected in advance of that application. The planned application of fire may also include natural or

accidental ignition.

**AGRICULTURAL SOURCE:** means a Source of air pollution or a group of Sources used in the production of crops, or the raising of fowl or animals located on Contiguous Property under common ownership or control that meets any of the following criteria;

1. is a Confined Animal Facility, including, but not limited to, any structure, building, installation, barn, corral, coop, feed storage area, milking parlor, or system for the collection, storage, treatment, and distribution of liquid and solid manure, if domesticated animals, including, but not limited to, cattle, calves, horses, sheep, goats, swine, rabbits, chickens, turkeys, or ducks are corralled, penned, or otherwise caused to remain in restricted areas for commercial agricultural purposes and feeding is by means other than grazing.
2. is an Internal Combustion Engine used in the production of crops or the raising of fowl or animals, including, but not limited to, an engine subject to Article 1.5 (commencing with Section 41750) of Chapter 3 of Part 4 of Division 26 of the Health & Safety Code except an engine that is used to propel implements of husbandry.
3. is a Title V Source, or is a Source that is otherwise subject to regulation by the District or the Clean Air Act.

**AIR CONTAMINANT:** any discharge, release, or other propagation into the Atmosphere and includes, but is not limited to, smoke, charred paper, Dust, soot, grime, carbon, fumes, gases, odors, Particulate Matter, acids, or any other combination thereof. For the purposes of Rule 403, the definition applies only to materials which are solid or liquid at Standard Conditions (60 degrees Fahrenheit, 760 mm Hg).

**AIR POLLUTION CONTROL OFFICER (APCO):** the person appointed by the Air Pollution Control Board and assigned to manage and direct the business and operations of the District, or their designee.

**ALTERNATIVE FUEL:** any fuel used for certifying a low emission vehicle, other than gasoline or diesel fuel.

**ALUMINUM ROOF COATING:** a Coating labeled and formulated exclusively for application to roofs and containing at least 84 grams of elemental aluminum pigment per liter of Coating (at least 0.7 pounds per gallon). Pigment content shall be determined in accordance with South Coast Air Quality Management District (SCAQMD) Method 318-95, incorporated by reference in Rule 424, subsection G.5.d.

**AMBIENT AIR QUALITY STANDARDS:** for the purposes of these regulations an Ambient Air Quality Standard (AAQS) shall be interpreted to include State and National AAQS. For the purposes of submittal of this Rule to the US EPA for inclusion in the California State Implementation Plan (SIP) all references in this Rule to AAQS shall be

interpreted as National AAQS.

**ANNUAL CAPACITY FACTOR (ACF):** means the ratio of the amount of fuel burned by a unit in a calendar year to the amount of fuel it could have burned if it had operated at the heat input rating for 8,760 hours during the calendar year.

**ANTENNA COATING:** a Coating labeled and formulated exclusively for application to equipment and associated structural appurtenances that are used to receive or transmit electromagnetic signals. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**ANTIFOULING COATING:** a Coating labeled and formulated for application to submerged stationary structures and their appurtenances to prevent or reduce the attachment of marine or freshwater biological organisms. To qualify as an antifouling Coating, the Coating must be registered with both the US EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (7 United States Code, Subsection 135, *et seq.*) and with the California Department of Pesticide Regulation. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**ANTI-GLARE/SAFETY COATING:** a Coating which does not reflect light.

**APPLICATION EQUIPMENT:** for the purposes of Rule 425, means Equipment used for applying Coating to a substrate. Application Equipment includes Coating distribution lines, Coating hoses, equipment used in hand application methods, and equipment used in mechanically operated application methods, including but not limited to spray guns, spinning disks, and pressure pots.

**APPROVED IGNITION DEVICES:** includes those instruments or materials that will ignite agricultural waste without the production of black smoke by the ignition device. This would include such items as liquid petroleum gas, butane, propane, and flares, but does not include the use of tires, tar paper, oil, and other similar materials.

**APPURTENANCES:** any accessory to a stationary structure coated at the site of installation, whether installed or detached, including but not limited to: bathroom and kitchen fixtures; cabinets; concrete forms; doors; elevators; fences; hand railings; heating equipment, air conditioning equipment, and other fixed mechanical equipment or stationary tools; lampposts; partitions; pipes and piping systems; rain gutters and downspouts; stairways, fixed ladders, catwalks, and fire escapes; and window screens.

**ARCHITECTURAL COATINGS:** a Coating to be applied to stationary structures or their appurtenances at the site of installation, to portable buildings at the site of installation, to pavements, or to curbs. Coatings applied in shop applications or to non-stationary structures such as airplanes, ships, boats, railcars, and automobiles, and adhesives are

not considered Architectural Coatings for the purposes of this Rule.

**ASPHALT:** the dark-brown to black cementitious material (solid, semi-solid, or liquid in consistency) of which the main constituents are b Bitumens which occur naturally or as a residue of petroleum refining.

**ASSEMBLY LINE:** an arrangement of industrial Equipment and workers in which the product passes from one specialized operation to another until complete, by either automatic or manual means.

**ASSOCIATED PARTS AND COMPONENTS:** structures, devices, pieces, modules, sections, assemblies, subassemblies, or elements of motor vehicles or mobile equipment that are designed to be a part of motor vehicles or mobile Equipment but which are not attached to motor vehicles or mobile Equipment at the time of Coating the structure, device, piece, module, section, assembly, subassembly, or element. "Associated Parts and Components" does not include circuit boards.

**ATMOSPHERE:** the air that envelopes or surrounds the earth. When air pollutants are emitted into or within a building, such emission into or within the building shall be considered an emission into the Atmosphere unless the building is designed specifically as a piece of air pollution control equipment.

**AUTHORITY TO CONSTRUCT:** a written permit issued by the District for the Construction, installation, assembly, Modification, or replacement of any facility, article, machine, Equipment, or other contrivance.

**AUTOMOTIVE COATING:** any Coating or Coating component used or recommended for use in Motor Vehicle or Mobile Equipment Refinishing, service, maintenance, repair, restoration, or Modification, except metal plating activities. Any reference to automotive Refinishing or Automotive Coating made by a Person on the container or in product literature constitutes a recommendation for use in Motor Vehicle or Mobile Equipment Refinishing.

**AUTOMOTIVE COATING COMPONENT:** any portion of a Coating, including, but not limited to, a Reducer or thinner, toner, hardener, and Additive, which is recommended by any Person to distributors or end-users for use in an Automotive Coating, or which is supplied for or used in an Automotive Coating. The raw materials used to produce the components are not considered Automotive Coating Components.

**AUTOMOTIVE REFINISHING FACILITY:** any shop, business, location, or parcel of land where Motor Vehicles or Mobile Equipment or their associated parts and components are coated including auto body collision repair shops. "Automotive Refinishing Facility" does not include the original Equipment manufacturing plant where the Motor Vehicle or Mobile Equipment is completely assembled.

**BANKING:** the District's system of quantifying, certifying, recording, and storing Emission Reduction Credits for future use or Transfer. This system shall be called Emission Reduction Credit Banking or Mobile Source Emission Reduction Credit.

**BANKING REGISTER:** the document that records all Emission Reduction Credits deposits, withdrawals, Transfers, and transactions.

**BASEMENT SPECIALTY COATING:** a clear or opaque Coating that is labeled and formulated for application to concrete and masonry surfaces to provide a hydrostatic seal for basements and other below-grade surfaces. Basement Specialty Coatings must meet the following criteria:

1. Coating must be capable of withstanding at least 10 psi of hydrostatic pressure, as determined in accordance with ASTM D7088-04, which is incorporated by reference in Rule 424, subsection G.5.n.
2. Coating must be resistant to mold and mildew growth and must achieve a microbial growth rating of 8 or more, as determined in accordance with ASTM D3273-00 and ASTM D3274-95, incorporated by reference in Rule 424, subsection G.5.t.

**BEEF FEEDLOT:** a lot, fenced area, or facility used for the feeding or holding of more than ten (10) cattle, except for Grazing Land as defined herein.

**BEST AVAILABLE CONTROL TECHNOLOGY (BACT):** for any Emissions Unit the more stringent of:

1. the most effective emission Control Device, emission limit, or technique which has been achieved in practice for such class or category of Source.
2. any other alternative emission Control Device, emission control technique, basic Equipment, fuel, or process determined to be technologically feasible and cost-effective by the APCO. Cost-effectiveness analyses shall be performed in accordance with methodology and criteria specified in the Best Available Control Technology Guideline for the South Coast Air Quality Management District, or an alternative methodology and criteria acceptable to the APCO.
3. under no circumstances shall BACT be determined to be less stringent than the emission control required by any applicable provision of law or regulation of the District, State and federal government, or the most stringent emissions limitation which is contained in the implementation plan of any State, unless the applicant demonstrates to the satisfaction of the APCO that such limitations are not technologically achievable. In no event shall the application of BACT result in the emissions of any pollutant which exceeds the emissions allowed by any applicable New Source Performance Standard (40 CFR, part 60) or National Emission Standard for Hazardous Air Pollutants (40 CFR, part 61 or part 63).

**BEST AVAILABLE RETROFIT CONTROL TECHNOLOGY (BARCT):** the most stringent and cost effective of the following control options:

1. the most effective elements of the related suggested control measure.
2. the most effective limits in effect in any regulation in California, in the United States, or in any other country for that Source category with such limits resulting from the application of retrofit control technologies judged by the APCO to be demonstrated and reliable.
3. the most effective limit for Source category determined to a reasonable degree of certainty, to be achievable in the near future.
4. any combination of control technologies that will achieve emission reductions equivalent to that resulting from the most stringent option listed above.

**BIOMASS:** material derived from the harvesting of crops or removal of vegetation, including timber, except for material from processed dimensional timber.

**BITUMENS:** black or brown materials including, but not limited to, asphalt, tar, pitch, and asphaltite that are soluble in carbon disulfide, consist mainly of hydrocarbons, and are obtained from natural deposits or as residues from the distillation of crude petroleum or coal.

**BITUMINOUS ROOF COATING:** a Coating which incorporates Bitumens that is labeled and formulated exclusively for roofing.

**BITUMINOUS ROOF PRIMER:** a Primer which incorporates Bitumens that is labeled and formulated exclusively for roofing and intended for the purpose of preparing a weathered or aged surface or improving the adhesion of subsequent surfacing components.

**BOARD:** the Air Pollution Control Board of the Imperial County Air Pollution Control District.

**BOILER OR STEAM GENERATOR:** means any combustion Equipment fired with gaseous and/or liquid fuel and used to produce steam or to heat water. "Boiler" or "Steam Generator" shall not include waste heat recovery Boilers that are used to recover heat from the exhaust of Stationary Gas Turbines or Internal Combustion Engines, or any unfired waste heat recovery Boiler that is used to recover sensible heat from the exhaust of any combustion Equipment.

**BOND BREAKER:** a Coating labeled and formulated for application between layers of concrete to prevent a freshly poured top layer of concrete from bonding to the layer over which it is poured.

**BOTTOM LOADED:** a Gasoline Delivery Vessel shall be considered to be Bottom Loaded when the fuel transfer and vapor return lines have separate, independent, and dedicated attachments on the delivery vessel, when the inlet is flush with the bottom of the storage device, and when the delivery vessel hatches remain closed during fuel transfer.

**BREAKDOWN:** an unforeseeable failure or malfunction of 1) any air pollution control Equipment, or related operating Equipment, which causes a violation of any emission limitation or restriction prescribed by these rules and regulations, or by State law, or 2) any monitoring Equipment, where such failure or malfunction is not the result of neglect or disregard of any air pollution control law or rules or regulations, is not intentional or the result of negligence, is not the result of improper maintenance, does not constitute a nuisance, and is not a recurrent breakdown of the same Equipment.

**BRITISH THERMAL UNIT (Btu):** means the amount of heat required to raise the temperature of one pound of water from 59F to 60F at one Atmosphere.

**BURN DAY:** any day on which Agricultural Burning is not prohibited by the Air Resources Board and/or the Imperial County Air Pollution Control District.

**CALIFORNIA AIR RESOURCES BOARD (CARB):** the California Air Resources Board or any Person authorized to act on its behalf.

**CAMOUFLAGE COATING:** a Coating applied on Motor Vehicles, or Mobile Equipment to conceal such vehicles or Equipment from detection and/or to provide resistance to chemical agents.

**CARB CERTIFIED VAPOR RECOVERY SYSTEM:** is any Phase I or Phase II Vapor Recovery System which has been certified by the California Air Resources Board pursuant to Section 41954 of the California Health and Safety Code.

**CARGO CARRIERS:** Cargo Carriers are trains dedicated to a specific Stationary Source. For purposes of this Rule, the term "trains dedicated to a specific Stationary Source" shall not include any train for which the prime mover is owned and operated by a common carrier, and by which cargo is delivered to or from the Stationary Source under a contract of common carriage. The emissions from all trains dedicated to a specific Stationary Source, while operating in the District, including directly emitted and Fugitive Emissions, shall be considered as emissions from the Stationary Source.

**CATALYST:** a substance whose presence initiates/enhances the reaction between chemical compounds.

**CERTIFICATE:** a District issued document specifying information regarding an ERC/MSERC/ABERC including but not limited to the legal owner(s), certificate identification number, date of issuance, pollutant(s) reduced, type of pollutant, quantity

of Actual Emission Reduction, time period for which the ERC/MSERC/ABERC is Valid and any other records as may be required as a condition of ERC/MSERC/ABERC issuance.

**CLASS I AREA:** any area listed as Class I in 40 CFR Part 81 Subpart D, including Section 81.405, or an area otherwise specified as Class I in the legislation that creates a national monument, a national primitive area, a national preserve, a national recreational area, a national wild and scenic river, a national wildlife refuge, a national lakeshore or seashore.

**CLEAN AIR ACT (CAA):** the Federal Clean Air Act (42 United States Code section 7401 et seq.) and implementing regulations. (see also Federal Clean Air Act)

**CLEANING OPERATIONS:** the removal of loosely held uncured Adhesives, inks, Coatings, or contaminants, including, but not limited to, dirt, soil, or grease, from Motor Vehicles, Mobile Equipment, associated parts and components, substrates, parts, products, tools, machinery, Equipment, or general work areas.

**CLEAR BRUSHING LACQUERS:** clear wood finishes, excluding clear lacquer sanding sealers, formulated with nitrocellulose or synthetic resins to dry by solvent evaporation without chemical reaction and to provide a solid, protective film, which are intended exclusively for application by brush, and which are labeled as specified in Rule 424, subsection E.6. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**CLEAR COATING:** any Coating that contains no pigments and is labeled and formulated for application over a color Coating or clear Coating.

**CLEAR WOOD COATINGS:** clear and semi-transparent Coatings, including Lacquers and Varnishes, applied to Wood Substrates, to provide a transparent or translucent solid film. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**COATING:** a material applied onto or impregnated into a substrate for protective, decorative, or functional purposes. Such materials include, but are not limited to paints, Varnishes, sealers, and Stains. For purposes of Rule 427, Coating shall mean a material which is applied to a surface and forms a film in order to beautify, preserve, repair, or protect such a surface.

**CODE OF FEDERAL REGULATIONS (CFR):** the United States document codifying federal regulations.

**COLD CLEANER:** any batch loaded, non-boiling Organic Solvent Degreaser.



**COLORANT:** a concentrated pigment dispersion in water, Solvent, and/or binder that is added to an Architectural Coating after packaging in sale units to produce the desired color.

**COLOR COATING:** any pigmented Coating, excluding Adhesion Promoters, primers, and Multi-Color Coatings, that requires a subsequent Clear Coating and which is applied over a Primer, Adhesion Promoter, or Color Coating. Color Coatings include metallic/iridescent Color Coatings.

**COLOR MATCH:** the ability of a repair Coating to blend into an existing Coating so that color difference is not visibly detectable.

**COMBUSTIBLE REFUSE:** any solid or liquid combustible waste material containing carbon in a free or combined state.

**COMBUSTION CONTAMINANT:** solid or liquid particles discharged into the Atmosphere from the burning of any kind of material containing carbon in a free or combined state.

**COMPLETE APPLICATION:** completeness of an application for an Authority to Construct a new or modified Emissions Unit shall be evaluated on the basis of a list of required information which has been adopted by the District.

**CONCRETE CURING COMPOUND:** a Coating labeled and formulated for application to freshly poured concrete to perform one or more of the following functions:

1. retard the evaporation of water; or
2. harden or dustproof the surface of freshly poured concrete.

**CONCRETE/MASONRY SEALER:** a clear or opaque Coating that is labeled and formulated primarily for application to concrete and masonry surfaces to perform one or more of the following functions:

1. prevent penetration of water; or
2. provide resistance against abrasion, alkalis, acids, mildew, staining, or ultraviolet light; or
3. harden or dustproof the surface of aged or cured concrete

**CONDENSER EQUIPMENT:** any Equipment, such as refrigerated or non-refrigerated freeboard chillers, condenser coils, or water jackets, used to condense Organic Solvent vapor in a vapor Degreaser.

**CONDENSER FLOW SWITCH:** safety switch which shuts off pump heat if condenser

water fails to circulate or if condenser water temperature rises above designated operating temperature.

**CONFINED ANIMAL FACILITY (CAF):** a Source or group of Sources of air pollution at an Agricultural Source for the raising of fowl or animals, including but not limited to, any structure, building, installation, farm, corral, coop, feed storage area, milking parlor, or system for the collection, storage, or distribution of solid and liquid manure; if domesticated animals, including but not limited to, cattle, calves, horses, sheep, goats, swine, rabbits, chickens, turkeys, or ducks corralled, penned, or otherwise caused to remain in restricted areas for commercial agricultural purposes and feeding is by means other than grazing.

**CONSTRUCTION:** any physical change or change in the method of operation (including fabrication, erection, installation, demolition, or Modification of an Emissions Unit) which would result in a change in emissions.

**CONTAMINATED SOIL:** for purposes of Rule 412, soil which indicates 50ppm by volume, or greater of ROC (measured as hexane) at a distance of three inches above the surface with a ROC analyzer.

**CONTIGUOUS PROPERTY:** two or more Parcels of land with a common boundary or separated solely by a public or private roadway or other public right-of-way.

**CONTROL DEVICE:** any device for reducing emissions into the Atmosphere.

**CONTROL EFFICIENCY:** the percentage of emissions removed by an existing emission Control Device or estimated to be removed by a proposed emission Control Device. The estimated control efficiency of the proposed air pollution control technology which will be incorporated, by means of Enforceable permit condition(s), in the Authority to Construct and Permit to Operate. Emission reductions attributed to lowering throughput rates or operating reductions attributed to lowering throughput rates or operating hours shall not be considered in determining Control Efficiency.

**CONTROL EQUIPMENT:** air pollution Control Equipment that eliminates, reduces or controls the issuance of air emissions.

**CONVEYORIZED DEGREASER:** any continuously loaded, conveyORIZED Organic Solvent Degreaser, either boiling or non-boiling.

**COOLING TOWERS:** open water re-circulating devices that use fans or natural draft to draw or force air through the device to cool water by evaporation and direct contact. This includes, but is not limited to, evaporative condensers, quench or cooling towers used for heating ventilation air conditioning (HVAC) and/or industrial cooling processes.

**CREMATORIES AND PATHOLOGICAL INCINERATORS:** for the purposes of Rule 302, Schedule 10, Crematories and Pathological Incinerators are any Furnace or similar

enclosed fire chamber burning human or animal tissue or cremating human or animal remains.

CUTBACK ASPHALT: paving grade Asphalts liquefied with petroleum distillate and as further defined by American Society for Testing and Materials (ASTM) specifications as follows:

Rapid Cure Type: ASTM D2028-76  
Medium Cure Type: ASTM D2027-76

DAILY EMISSIONS LIMIT: one or a combination of permit conditions, specific to an Emissions Unit, which restricts its maximum daily emissions, in pounds per day, at or below the emissions associated with the maximum design capacity. A daily emissions limitation must be:

1. contained in and Enforceable by the latest Authority to Construct or the latest Permit to Operate for the Emissions Unit, and
2. Enforceable on a daily basis, and
3. established pursuant to a permitting action occurring after September 7, 1993.

DAIRY: a Confined Animal Facility (CAF) with operations centered around the production of milk, butter, or cheese for commercial purposes.

DECONTAMINATION: for purposes of Rule 412, removal of ROC from contaminated soil by aeration, or District approved treatment process.

DEGREASER: tank, tray, drum, or other container in which objects to be cleaned are exposed to a liquid or vapor degreasing Organic Solvent

DISTRICT: the Imperial County Air Pollution Control District (ICAPCD).

DRIVEWAY SEALER: a Coating labeled and formulated for application to worn Asphalt driveway surfaces to perform one or more of the following functions:

1. fill cracks; or
2. seal the surface to provide protection; or
3. restore or preserve the appearance.

DRY FOG COATING: a Coating labeled and formulated only for spray application such that overspray droplets dry before subsequent contact with incidental surfaces in the vicinity of the surface Coating activity.

DUST: minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, and demolishing.

ELECTROSTATIC APPLICATION: a sufficient charging of atomized paint droplets to cause deposition, principally by electrostatic attraction.

ELECTROSTATIC DISCHARGE COATING: electrically conductive Coating which prevents the build-up of static charge on the surface of an Aerospace Component. Applications include, but are not limited to, composites, space vehicles, missiles, and helicopter blades.

ELECTROSTATIC SPRAY APPLICATION: any method of spray application of Coatings where an electrostatic attraction is created between the part to be coated and the paint particles.

EMERGENCY STANDBY TANK: a standby tank used in an emergency to store organic liquids during the draining of the primary tank or for use when the operator is granted breakdown relief.

EMISSION CONTROL SYSTEM: for the purpose of Rule 427, means any combination of capture systems and Control Devices used to reduce VOC emissions from an Automotive Refinishing Operation.

EMISSION REDUCTION CREDITS (ERCs): reductions of Actual Emissions from an Emissions Unit that are registered with the District in accordance with the requirements of Rule 214.

EMISSIONS INCREASE: for the purpose of Rule 207, means any increase in a Stationary Source or an Emissions Unit's Potential to Emit, ~~calculated pursuant to Section E.3 of this Rule.~~ For determining if a Project will result in a new Major Stationary Source or a Major Modification and the amount of offsets required for such projects, an emission increase means the difference between a Stationary Source or an Emissions Unit's Potential to Emit and its Historic Actual Emissions.

EMISSIONS UNIT: an identifiable operation or piece of process Equipment, such as an article, machine, or other contrivance, which emits, has the Potential to Emit, or results in the emissions of any air pollutant directly or as Fugitive Emissions.

EMULSIFIED ASPHALT: any Asphalt liquefied with water containing an emulsifier, either anionic or cationic.

ENCLOSED GUN CLEANER: a device that is used for the cleaning of spray guns that is not open to the ambient air when in use and has a mechanism to force the cleanup material through the gun while the cleaner is in operation.

ENFORCEABLE: means certain actions which are assured by verifiable and legally

binding conditions in an Authority to Construct and/or Permit to Operate.

**EQUIPMENT:** includes any article, machine, or contrivance that emits, has the Potential to Emit, or reduces emissions of any air pollutant emitted directly or as Fugitive Emissions.

**ERC:** see Emission Reduction Credits

**ERC CERTIFICATE:** a document identifying the quantity and type of ERCs issued by the District to the individual(s) or Source(s) identified on the certificate.

**ESSENTIAL PUBLIC SERVICES:** the following Sources shall be considered Essential Public Services:

1. sewage treatment operations which are publicly owned and operated consistent with the approved General Plan; or
2. prison, jail, correctional facility; or
3. police or fire fighting facility; or
4. school or hospital; or
5. landfill gas control or processing system which is publicly owned and operated; or
6. water delivery operations which are publicly owned and operated consistent with the approved General Plan; or
7. cleanup operations to remove contaminants from soil or water, mandated by the Regional Water Quality Control Board, California Department of Health Services, Environmental Protection Agency or any other State or Federal law.

**EXCAVATION:** for purposes of Rule 412, removal of contaminated soil for the purpose of decontamination. Excavated soil may have become contaminated by leaking underground or above ground tank, loading rack, spillage, pipeline leak, accidental spill, or any other Source.

**EXEMPT COMPOUND:** a compound identified as exempt under the definition of Volatile Organic Compound (VOC). Exempt compound content of a Coating shall be determined by US EPA Method 24 or South Coast Air Quality Management District (SCAQMD) Method 303-91 (Revised 1993), incorporated by reference in Rule 424, subsection G.5.j .

**EXTREME PERFORMANCE COATING:** Coating that encounters acute or chronic exposure to salt water, corrosives, caustics, acids, oxidizing agents, wind- or ocean-driven debris, or electromagnetic pulses.

**FAUX FINISHING COATING:** a Coating labeled and formulated to meet one or more of the following criteria:

1. a glaze or textured Coating used to create artistic effects, including, but not limited to: dirt, suede, old age, smoke damage, and simulated marble and wood grain; or
2. a decorative Coating used to create a metallic, iridescent, or pearlescent appearance that contains at least 48 grams of pearlescent mica pigment or other iridescent pigment per liter of Coating as applied (at least 0.4 pounds per gallon); or
3. a decorative Coating used to create a metallic appearance that contains less than 48 grams of elemental metallic pigment per liter of Coating as applied (less than 0.4 pounds per gallon), when tested in accordance with South Coast Air Quality Management District (SCAQMD) method 318-95, incorporated by reference in Rule 424, subsection G.5.d; or
4. a decorative Coating used to create a metallic appearance that contains greater than 48 grams of elemental metallic pigment per liter of Coating as applied (greater than 0.4 pounds per gallon) and which requires a clear topcoat to prevent the degradation of the finish under normal use conditions. The metallic pigment content shall be determined in accordance with SCAQMD method 318-95, incorporated by reference in Rule 424, subsection G.5.d; or
5. a clear topcoat to seal and protect a Faux Finishing Coating that meets the requirements of subsections 1 thru 4 of this definition. These clear topcoats must be sold and used solely as part of a Faux Finishing Coating system, and must be labeled in accordance with Rule 424, subsection E.4.

**FEDERAL CLEAN AIR ACT:** the Federal Clean Air Act (CAA) as amended in 1990 (42 United States Code, section 7401 et seq.) and its implementing regulations.

**FEDERAL LAND MANAGER:** the Secretary of the Department with authority over the specified federal lands.

**FINISH:** the Coating of incomplete vehicles, their parts and components, or Mobile Equipment for which the original Coating was not applied from an original Equipment manufacturer (OEM) plant Coating assembly line.

**FIRE RESISTIVE COATING:** a Coating labeled and formulated to protect structural integrity by increasing the fire endurance of interior or exterior steel and other structural materials. The fire resistive category includes sprayed fire resistive materials and intumescent Fire Resistive Coatings that are used to bring structural materials into compliance with federal, state, and local building code requirements. Fire Resistive

Coatings shall be tested in accordance with ASTM E119-07, incorporated by reference in Rule 424, subsection G.5.b. Fire Resistive Coatings and testing agencies must be approved by building code officials.

**FIRE RETARDANT COATING:** a Coating labeled and formulated to retard ignition and flame spread, that has been fire tested and rated by a testing agency approved by building code officials for use in bringing building and construction materials into compliance with federal, state and local building code requirements. The Fire Retardant Coating and the testing agency must be approved by building code officials. The Fire Retardant Coating shall be tested in accordance with ASTM E84-07, incorporated by reference in Rule 424, subsection G.5.a.

Effective January 1, 2011, the Fire Retardant Coating category is eliminated and Coatings with fire retardant properties will be subject to the VOC limit of their primary category (e.g., Flat, Nonflat, etc.).

**FIXED COVER:** any cover made out of metal(s), polymer(s) or other material, and installed in a permanent position over the liquid.

**FLAT COATING:** a Coating that is not defined under any other definition in this rule and that registers gloss less than 15 on an 85-degree meter or less than 5 on a 60-degree meter according to ASTM D 523-89 (1999), incorporated by reference in Rule 424, subsection G.5.c .

**FLEET VEHICLE:** one of a group of ten (10) or more Motor Vehicles under common ownership or control and dispatched from a location within Imperial County.

**FLIGHT TEST COATINGS:** a temporary Coating applied to test aircraft to protect from corrosion and to provide required markings during flight test evaluation.

**FLOATING COVER:** any cover made out of metal(s), polymer(s) or other material, which is in contact with a liquid surface at all times.

**FLOOR COATING:** an opaque Coating that is labeled and formulated for application to flooring, including, but not limited to, decks, porches steps, garage floors, and other horizontal surfaces which may be subject to foot traffic.

**FLOW COATING:** a Coating labeled and formulated exclusively for use by electric power companies or their subcontractors to maintain the protective Coating systems present on utility transformer units. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**FLUORIDES:** elemental fluorine and all fluoride compounds.

**FORM RELEASE COMPOUND:** a Coating labeled and formulated for application to a

concrete form to prevent the freshly poured concrete from bonding to the form. The form may consist of wood, metal, or some material other than concrete.

**FREEBOARD HEIGHT:**

1. for a Cold Cleaning Degreaser, distance from the top of the Organic Solvent, or the Organic Solvent drain to the top of the Degreaser, based on the inside tank dimensions.
2. for a Remote Reservoir Degreaser, the distance from the Organic Solvent drain to the top of the Degreaser, based on the inside dimensions.
3. for a vapor Degreaser, the distance from the Organic Solvent air-vapor interface to the top of the basic Degreaser tank, based on the inside tank dimensions.

**FREEBOARD RATIO:** freeboard height divided by the smaller of the length or width of the Degreaser.

**FROST PROTECTION:** the protection of agricultural crops against damage from frost or cold weather.

**FUEL BURNING EQUIPMENT:** the minimum number of boilers, furnaces, jet engines or other Fuel Burning Equipment, the simultaneous operations of which are required for the production of useful heat or power. Equipment which burns fuel and serves primarily as air pollution control Equipment by using a combustion process to destroy air contaminants shall not be considered "Fuel Burning Equipment."

**FUEL CHANGE:** means the transitory operating period when a switch occurs between liquid or gaseous fuels, or any combination thereof.

**FUEL TANK COATING:** a Coating applied to the interior of a fuel tank of an aircraft or space vehicle to protect it from corrosion.

**FUGITIVE EMISSIONS:** those emissions which cannot reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

**FUMES:** small particles resulting from chemical reaction or from the condensation of vapors produced in combustion, distillation or sublimation, or other above ambient temperature process.

**FURNACE:** means any enclosed structure in which heat is produced by the combustion of any fuel.

**GASEOUS FUEL:** means natural gas, digester gas, landfill gas, methane, ethane, propane, butane, or any gas stored as a liquid at high pressure such as liquefied petroleum gas.



**GASOLINE:** any petroleum distillate having a Reid Vapor pressure of 4.0 pounds or greater.

**GASOLINE BULK PLANT:** an intermediate gasoline loading facility where delivery to the facility's storage containers and delivery from the facility is by truck.

**GASOLINE DELIVERY VESSEL:** a truck, trailer, or railroad car with a storage device containing Gasoline, or Gasoline Vapors, used to transport fuel or other petroleum products.

**GASOLINE TERMINAL:** a gasoline loading facility where delivery to the facility's storage containers is by means other than truck.

**GASOLINE THROUGHPUT:** for the purposes of Rule 415, means the volume of gasoline dispensed at a gasoline dispensing facility.

**GASOLINE VAPORS:** the Reactive Organic Compounds in the displaced vapors, including any entrained liquid gasoline.

**GRAPHIC ARTS COATING OR SIGN PAINT:** a Coating labeled and formulated for hand-application by artists using brush, airbrush, or roller techniques to indoor and outdoor signs (excluding structural components) and murals including lettering enamels, poster colors, copy blockers, and bulletin enamels.

**GRAPHIC ARTS OPERATION:** the application of logos, letters, numbers, or graphic to a painted surface by brush, roller, or airbrush.

**GRAPHIC DESIGN APPLICATION:** the application of logos, letters, numbers, and graphics to a painted surface, with or without the use of a template.

**GRAZING LAND:** open range or fenced fields where animals feed on crops or grasses which grow naturally or are planted.

**GROUP I VEHICLES:** public transit buses and mobile Equipment.

**GROUP II VEHICLES:** passenger cars, large/heavy duty truck cabs and chassis, light and medium duty trucks and vans, and motorcycles.

**HALOGENATED HYDROCARBONS:** all Halogenated Hydrocarbons listed as exempt under the definition of Volatile Organic Compounds.

**HAND APPLICATION METHODS:** the application of Coatings by nonmechanical hand-held Equipment including but not limited to paint brushes, hand rollers, caulking guns, trowels, spatulas, syringe daubers, rags, and sponges.

HEALTH AND SAFETY CODE (H&SC): "Health and Safety Code" refers to the California Health and Safety Code.

HEARING BOARD: the Hearing Board of the Air Pollution Control District of Imperial County.

HEAT INPUT: means the heat derived from the combustion of a fuel in a unit, calculated using the higher heating value, excluding the heat input from preheated combustion air, re-circulated flue gases, or exhaust gases from other Sources, including but not limited to, Stationary Gas Turbines, Internal Combustion Engines and Kilns.

HEAT INPUT RATING: means the maximum steady state heat input capacity of a unit, in BTU per hour, as specified by the manufacturer, or as limited by an Authority to Construct or a Permit to Operate.

HEAVY DUTY ENGINE: an engine which is used to propel a Heavy Duty Vehicle.

HEAVY DUTY VEHICLE: any Motor Vehicle having a manufacturer's gross vehicle weight rating greater than 6,000 pounds, except passenger cars (Title 13, California Code of Regulations, Section 1900 [13 CCR. 1900].)

HEXAVALENT CHROMIUM-CONTAINING WATER TREATMENT CHEMICALS: water treatment Additives which contain Hexavalent Chromium (Chrome VI), alone or in combination with other water treatment chemicals.

HIGH TEMPERATURE COATING: a high performance Coating labeled and formulated for application to substrates exposed continuously or intermittently to temperatures above 240°C (400° F).

HIGH TEMPERATURE RESISTANT, THERMAL FLASH RESISTANT, RAIN EROSION RESISTANT COATING: for the purposes of Rule 425, means a fluoroelastomeric Coating that is designed specifically to protect aerospace vehicles from thermonuclear flash, erosion from airborne particles such as rain, ice, sand, etc., and temperatures above 450 degrees Fahrenheit resulting from aerodynamic heating.

HIGH VOLATILITY SOLVENT: any Organic Solvent that is not a low volatility Solvent.

HIGH-VOLUME, LOW-PRESSURE (HVLP): spray Equipment permanently labeled as such and which is designed and operated between 0.1 and 10 pounds per square inch, gauge, (psig) air atomizing pressure measured dynamically at the center of the air cap and at the air horns.

HIGHER HEATING VALUE: means the total heat liberated, including the heat of condensation of water, per mass of fuel burned (BTU per pound) when fuel and dry air at standard conditions undergo complete combustion and all resultant products are brought to standard conditions.

**HISTORIC ACTUAL EMISSIONS:** Actual Emissions from an existing Emissions Unit averaged over a 24 month period immediately preceding the date of application. The APCO may approve another 24 month period within the last 60 months, if the APCO determines that the other period is more representative of normal operations. Where an Emissions Unit has been in operation for less than 24 months a shorter averaging period of at least 12 months may be used providing it represents the full operational history of the Emission Unit. The Historic Actual Emissions from Emission Units which have been in operation for less than 12 months shall be equal to zero. Historic Actual Emissions are to be calculated in pounds per quarter for each calendar quarter. Historic Actual Emissions in quarters 2 or 3 may be lowered by transferring these emissions to quarters 1 or 4, provided that the resulting emissions in quarters 1 or 4 are no higher than the higher of quarters 2 or 3.

**HISTORIC EMISSIONS:** the Potential to Emit of an existing Emissions Unit prior to Modification. For a new Emissions Unit Historic Emissions are equal to zero.

**HYDROCARBON VAPORS:** the Reactive Organic Compounds in the vapors, including any entrained organic liquid.

**IDENTICAL REPLACEMENT UNIT:** a replacement Emissions Unit which is the same as the original unit in all respects except for the serial number.

**IMPERVIOUS BARRIER:** for purposes of Rule 412, physical covering for contaminated soil which controls ROC emissions to the extent a ROC analyzer detects less than 50ppm by volume ROC (measured as hexane) at a distance of three inches above the surface.

**IMPLEMENTS OF HUSBANDRY:** is a vehicle which is used exclusively in the conduct of agricultural operations. An Implement of Husbandry does not include a vehicle if its existing design is primarily for the transportation of persons or property in a highway.

**INCINERATOR:** any Furnace or similar enclosed fire chamber, with or without a draft control, used for burning refuse or other waste material and where the products of combustion are channeled through a flue.

**INDUSTRIAL MAINTENANCE COATING:** a high performance Architectural Coating, including Primers, Sealers, Undercoaters, intermediate coats, and topcoats formulated for application to substrates, including floors, exposed to one or more of the following extreme environmental conditions listed below and labeled as specified in Rule 424, subsection E.5 .

1. immersion in water, wastewater or chemical solutions (aqueous and non-aqueous solutions), or chronic exposure of interior surfaces to moisture condensation; or
2. acute or chronic exposure to corrosive, caustic or acidic agents, or to chemicals,

chemical fumes, chemical mixtures or solutions; or

3. frequent exposure to temperatures in excess of 250°F (121°C); or
4. frequent heavy abrasion, including mechanical wear and frequent scrubbing with industrial Solvents, cleansers or scouring agents; or
5. exterior exposure of metal structures and structural components.

**INTERNAL COMBUSTION ENGINE:** any spark or compression ignited reciprocating Internal Combustion Engine that is attached to a foundation at a location, or is portable and operated at a location for more than 90 days in any consecutive twelve month period, excluding engines used for self propulsion of a vehicle.

**KILN:** means an oven, Furnace, or heated enclosure used for processing a substance by burning, firing, or drying.

**LACQUER:** a clear or opaque wood Coating, including clear lacquer Sanding Sealers, formulated with cellulosic or synthetic resins to dry by evaporation without chemical reaction and to provide a solid, protective film. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**LARGE CONFINED ANIMAL FACILITY (LCAF):** any Confined Animal Facility that maintains on any one day: 500 or more milk-producing dairy cows; or 3,500 or more beef cattle, calves, heifers, or other cattle; or 100,000 or more turkeys; or 400,000 or more chickens other than laying hens; or 400,000 or more laying hens; or 3,000 or more swine; or 15,000 or more sheep, lambs, or goats; or 2,500 or more horses; or 400,000 or more ducks; or 30,000 or more rabbits or other animals.

**LARGE/HEAVY DUTY TRUCKS:** any truck having a manufacturer's gross vehicle weight rating of over 10,000 pounds.

**LEAK OF REACTIVE ORGANIC COMPOUNDS:** an emission of a liquid containing Reactive Organic Compounds at a rate of more than 3 drops per minute, as a continuous stream, or as a visible mist; or an emission of a gas containing Reactive Organic Compounds which causes an appropriate analyzer sampling 1 centimeter from a Source to register at least 10,000ppm as methane as determined by US EPA Reference Method 21.

**LEAK-FREE:** for the purposes of Rule 415, means a liquid leak of no more than three drops per minute excluding losses which occur upon disconnecting transfer fittings. Provided such disconnect losses do not exceed 10 milliliters (0.34 fluid ounces) per disconnect, averaged over three disconnects.

**LEAN-BURN ENGINE:** any spark or compression ignited Internal Combustion Engine

that is operated with an exhaust gas stream oxygen concentration of four percent (4%) by volume, or greater. The exhaust gas oxygen content shall be determined from the uncontrolled exhaust gas stream.

**LIGHT DUTY TRUCK:** any Motor Vehicle, rated at 6,000 pounds gross vehicle weight or less, which is designed primarily for purposes of transportation of property or is a derivative of such a vehicle, or is available with special features enabling off-street or off-highway operation and use (13 CCR 1900.)

**LIQUID FUEL:** means any fuel which is a liquid at standard conditions including but not limited to distillate oils, kerosene and jet fuel. Liquefied gaseous fuels are not liquid fuels.

**LOADING FACILITY:** any aggregation or combination of gasoline loading Equipment which is both (1) possessed by one person, and (2) located so that all the gasoline loading outlets for such aggregation or combination of loading Equipment can be encompassed within any circle of 300 feet in diameter.

**LOW EMISSION VEHICLE:** any vehicle certified by the California Air Resources Board (CARB) to the transitional, low, ultra low, or zero emission vehicle standards established in 13 CCR 1960.1

**LOW SOLIDS COATING:** a Coating containing 0.12 kilogram or less of solids per liter (1 pound or less of solids per gallon) of Coating material as recommended for application by the manufacturer. The VOC content for Low Solids Coatings shall be calculated in accordance with the definition of VOC Actual.

**LOW VOLATILITY SOLVENT:** any Organic Solvent, including emulsions containing no more than 2% Reactive Organic Compounds (ROC) by weight as determined by US EPA test method 24.

**LOWEST ACHIEVABLE EMISSION RATE (LAER):** for any Stationary Source or Modification the more stringent of:

1. the most stringent emissions limitation which is contained in the implementation plan of any state for such class or category of Stationary Source, unless the Owner or Operator of the proposed Stationary Source demonstrates that such limitations are not achievable; or
2. the most effective emissions control technique which has been achieved in practice, for such class or category of Source as determined by the APCO; or
3. the emission limitation specified for such class or category of Source under applicable federal New Source Performance Standards pursuant to Section 111 of the Clean Air Act; or

4. any other emissions control technique found after public hearing, by the APCO or the California Air Resources Board to be technologically feasible and cost effective for such class or category of Sources or for a specific Source.

**MAGNESITE CEMENT COATING:** a Coating labeled and formulated for application to Magnesite Cement decking to protect the Magnesite Cement substrate from erosion by water.

**MAJOR MODIFICATION:** a Modification to a Major Stationary Source which results in a Significant Emissions Increase and a Significant Net Emissions Increase of the pollutant for which the Stationary Source is classified as a Major Stationary Source.

**MAJOR PROJECT:** for the purpose of Rule 206 and 301 means a Project which will emit pollutants under any of the following conditions: 250 or more lbs/day controlled for any single pollutant; 100 or more tons/yr uncontrolled for any single pollutant; 250 or more tons/yr uncontrolled for all emissions combined.

**MAJOR STATIONARY SOURCE:** means a Stationary Source which emits, or has the Potential to Emit 100 tons per year (tpy) or more of Volatile Organic Compounds or Oxides of Nitrogen, or 70 tpy or more of PM<sub>10</sub>, or a PM<sub>10</sub> Precursor or 100 tpy or more of PM<sub>2.5</sub> or a PM<sub>2.5</sub> Precursor. In addition, any physical change occurring at a Stationary Source which is not already a Major Stationary Source, and which Modification would constitute a Major Stationary Source by itself, makes the Source a Major Stationary Source. [For PM<sub>2.5</sub> and PM<sub>2.5</sub> precursors, this definition applies only to Stationary Sources located in the PM<sub>2.5</sub> Nonattainment Area of Imperial County.](#)

**MAKE-UP SOLVENT:** Organic Solvent added to a Degreaser to replace Organic Solvent lost through evaporation, carry-out, splashing, leakage, or disposal.

**MANUFACTURER'S MAXIMUM THINNING RECOMMENDATION:** the maximum recommendation for thinning that is indicated on the label or lid of the Coating container.

**MANURE:** the accumulated animal excrement in or around a livestock feed yard that does not undergo decomposition as would occur on open grazing land or natural habitat. This definition includes feces or urine which may be mixed with bedding materials, with spilled feed or with soil.

**MASKANT:** a Coating applied directly to a metal part or other surface to protect surface areas during chemical milling, anodizing, aging, bonding, plating, etching, or other chemical surface operations.

**MASTIC TEXTURE COATING:** a Coating labeled and formulated to cover holes and minor cracks and to conceal surface irregularities, and is applied in a single coat of at least 10 mils (0.010 inch) dry film thickness.

**MEDIUM DENSITY FIBERBOARD (MDF):** a composite wood product, panel, molding, or other building material composed of cellulosic fibers (usually wood) made by dry forming and pressing of a resinated fiber mat.

**MEDIUM DUTY VEHICLE:** any pre-1995 model year Heavy-Duty Vehicle having a manufacturer's gross vehicle weight rating of 8,500 pounds or less; any 1992 through 2006 model-year heavy-duty low-emission, ultra-low-emission, super-ultra-low-emission or zero-emission vehicle certified to the standards in section 1960.1(h)(2) of the California Code of Regulations (CCR) having a manufacturer's gross vehicle weight rating of 14,000 pounds or less; any 1995 through 2003 model-year heavy-duty vehicle certified to the standards in section 1960.1(h)(1) of the CCR having a manufacturer's gross vehicle weight rating of 14,000 pounds or less; and any 2000 and subsequent model heavy-duty low-emission, ultra-low-emission, super-ultra-low-emission or zero-emission vehicle certified to the standards in Section 1961(a)(1), 1962, or 1962.1 having a manufacturer's gross vehicle weight rating between 8,501 and 14,000 pounds. (California Code of Regulations Title 13, Division 3, Chapter 1, Article 1, §1900)

**METALLIC/IRIDESCENT COLOR COATING:** any Coating that contains more than 0.042 pounds per gallon (5 grams per liter) of metal or iridescent particles as applied, where such particles are visible in the dried film.

**METALLIC PIGMENTED COATING:** a Coating that is labeled and formulated to provide a metallic appearance. Metallic Pigmented Coatings must contain at least 48 grams of elemental metallic pigment (excluding zinc) per liter of Coating as applied (at least 0.4 pounds per gallon), when tested in accordance with SCAQMD Method 318-95, incorporated by reference in Rule 424, subsection G.5.d. The Metallic Pigmented Coating category does not include Coatings applied to roofs or Zinc-Rich Primers.

**MILITARY BASE:** means a Military Base that is designated for closure or downward realignment pursuant to the Defense Base Closure and Realignment Act of 1988 (P.L. 100-526) or the Defense Base Closure and Realignment Act of 1990 (10 United States Code Sec. 2687 et seq.).

**MINOR PROJECT:** for the purpose of Rules 206 and 301, a Project for which uncontrolled emissions will not exceed 35 lbs/day of any pollutant, and for which there will be no emission of pollutants which are toxic Air Contaminants or for which the District has been designated nonattainment.

**MOBILE EQUIPMENT:** for the purposes of Rule 427 is any device that may be drawn and/or driven on rails or a roadway including, but not limited to, trains, railcars, truck trailers, mobile cranes, bulldozers, street cleaners, and Implements of Husbandry for agriculture.

**MOBILE SOURCE EMISSION REDUCTION CREDIT (MSERC):** Actual Emission Reductions which have been recognized by the District as being banked and registered with a MSERC certificate issued in accordance with the requirements of Rule 214.1.

**MOBILE TRANSPORT TANK:** any tank truck or trailer, railroad tank car, or tanker used to transport reactive organic liquids.

**MODELING:** use of an air quality simulation model, based on specified assumptions and data, which has been approved in writing by the executive officer of the California Air Resources Board.

**MODIFICATION:** any physical change, change in method of operation of, or addition to, an existing Emissions Unit, or any change in hours of operation or production rate which would necessitate a change in permit conditions.

Unless previously limited by a permit condition, the following shall not be considered a Modification:

1. change in ownership of an existing Stationary Source with valid Permit(s) to Operate.
2. routine maintenance or repair.
3. an Identical Replacement Unit, if the Modification does not result in a Major Modification.

A Modification of an Emissions Unit also occurs when there is an increase in emissions from such a unit caused by a Modification of the Stationary Source and the Emissions Unit is not subject to a Daily Emissions Limit.

A Modification to a Stationary Source shall include any Modification of its permitted Emissions Unit(s) or the addition of any new Emissions Unit(s).

A Reconstructed Stationary Source shall be treated as a new Stationary Source and not as a Modification.

**MOTOR VEHICLE:** any self-propelled vehicle, but not limited to, cars, trucks, buses, golf carts, vans, motorcycles, tanks, and armored personnel carriers.

**MOBILE SOURCE EMISSION REDUCTION CREDIT (MSERC) PROGRAM:** as recognized by the California Air Resources Board, any activity undertaken by a Person which produces actual Mobile Source Emission Reductions within Imperial County for purposes of establishing ERC's pursuant to Rules 214 and 214.1. A program can be a onetime action, a series of one time actions or a continuous set of actions.

**MOBILE SOURCE EMISSION REDUCTION CREDIT (MSERC) REGISTRY:** a tracking maintained by the District which records all MSERC deposits, withdrawals, transfers and transactions as required by Rule 214.1.



**MULTI-COLOR COATING:** a Coating that is packaged in a single container and that is labeled and formulated to exhibit more than one color when applied in a single coat. For purposes of Rule 427, means any Coating that exhibits more than one color in the dried film after a single application, is packaged in a single container, and hides surface defects on areas of heavy use, and which is applied over a Primer or Adhesion Promoter.

**MULTIPLE-CHAMBER INCINERATOR:** any article, machine, Equipment, contrivance, structure or any part of a structure used to dispose of combustible refuse by burning, consisting of three or more refractory walls, interconnected by gas passage ports or ducts, and employing adequate design parameters necessary for maximum combustion of the material to be burned.

**NO-BURN DAY:** any day on which Agricultural Burning is prohibited by the California Air Resources Board or by the District.

**NO-BURN LIST:** a list of fields for which ERC's have been applied and on which burning will not be allowed.

**NONATTAINMENT AREA:** an area designated by a state or federal agency as exceeding a state or National Ambient Air Quality Standard.

**NONATTAINMENT POLLUTANT:** any pollutant or Precursor which has been designated "nonattainment" by the US EPA as codified in 40 CFR Section 81.305, or that has been designated "nonattainment" by the CARB pursuant to H&SC Section 39607.

**NONFLAT COATING:** a Coating that is not defined under any other definition in this Rule and that registers a gloss of 15 or greater on an 85-degree meter and 5 or greater on a 60-degree meter according to ASTM D523-89 (1999), incorporated by reference in Rule 424, subsection G.5.c .

**NONFLAT-HIGH GLOSS COATING:** a Nonflat Coating that registers a gloss of 70 or greater on a 60-degree meter according to ASTM D523-89 (1999), incorporated by reference in Rule 424, subsection G.5.c. Nonflat-High Gloss Coatings must be labeled in accordance with Rule 424, subsection E.12.

**NON-PERMITTED EMISSIONS:** for the purpose of Rule 214, Non-Permitted Emissions are emissions which are not governed under a District permit.

**OFFSET:** the use of an emission decrease to compensate for an Emission Increase from a new or modified Stationary Source subject to the requirements of Rule 207.

**OFFSET FILL LINE:** any liquid fill line which contains one or more pipe bends, and the horizontal distance between the truck delivery connection and the storage container fill opening is 6.1 meters (20 feet) or greater.

**OIL-EFFLUENT WATER SEPARATOR:** any device or piece of Equipment used to remove petroleum compounds or associated chemicals from effluent water

**OPACITY:** the degree to which emissions reduce the transmission of light and obscure the view of the background.

**OPAQUE STAINS:** all Stains that are not classified as Semi-Transparent Stains.

**OPAQUE WOOD PRESERVATIVES:** all Wood Preservatives not classified as clear or Semi-Transparent Wood Preservatives or as below ground Wood Preservatives.

**OPEN BURNING IN AGRICULTURAL OPERATIONS IN THE GROWING OF CROPS OR RAISING OF FOWLS OR ANIMALS:**

1. the burning in the open of materials produced wholly from operations in the growing and harvesting of crops or raising of fowls or animals for the primary purpose of making a profit, providing a livelihood, or of conducting agricultural research or instruction by an educational institution; and
2. the burning of grass and weeds in or adjacent to fields in cultivation or being prepared for cultivation in connection with operations qualifying under 1 above; and
3. the burning of materials not produced wholly from such operations, but which are intimately related to the growing or harvesting of crops and which are used in the fields, except as prohibited by District regulations. Examples are trays for drying raisins, date palm protection paper, and fertilizer and pesticide sacks or combustible containers, where the sacks or combustible containers are emptied in the field, or other reasonable nearby location under the direct control of the farm operator. This does not include products made from rubber.

**OPEN OUTDOOR FIRE:** the complete or partial burning or smoldering of any combustible refuse or other material of any type, directly exposed to the Atmosphere, whether or not enclosed in a fireproof container, where the products of combustion are not channeled through a flue.

**OPEN-TOP VAPOR DEGREASER:** any batch loaded, boiling Organic Solvent Degreaser.

**ORCHARD OR CITRUS GROVE HEATER:** any article, machine, Equipment, or other contrivance, burning any type of fuel, capable of emitting Air Contaminants, used or capable of being used for the purpose of giving protection from frost damage. Contrivances commonly known as wind machines are not included.

**ORGANIC CONTENT:** for purposes of Rule 412, degree of contamination used to limit daily rate contaminated soil may be added to an active soil aeration pile.

**ORGANIC MATERIALS:** chemical compounds of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbonates and ammonium carbonate.

**ORGANIC SOLVENTS:** includes diluents and thinners and are defined as organic materials which are liquids at standard conditions and which are used as solvents, viscosity reducers, or cleaning agents.

**OTHER CATTLE FACILITY:** a Confined Animal Facility (CAF) housing cattle which does not meet the definition of a Beef Feedlot or Dairy.

**OWNER OR OPERATOR:** includes, but is not limited to, any Person who owns, leases, supervises or operates Equipment.

**PARCEL:** a legally subdivided piece of land or combined lands under common ownership.

**PARTICLEBOARD:** a composite wood product panel, molding, or other building material composed of cellulosic material (usually wood) in the form of discrete particles, as distinguished from fibers, flakes, or strands, which are pressed together with resin.

**PARTICULATE MATTER:** any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions. Dust shall also be considered as Particulate Matter.

**PARTICULATE MATTER (PM<sub>10</sub>):** Particulate Matter with an aerodynamic diameter equal to or less than 10 micrometers. Gaseous emissions which condense to form Particulate Matter at ambient temperatures shall be included.

**PARTICULATE MATTER (PM<sub>2.5</sub>):** Particulate Matter with an aerodynamic diameter equal to or less than 2.5 micrometers. Gaseous emissions which condense to form Particulate Matter at ambient temperatures shall be included.

**PASSENGER CAR:** "any motor vehicle designed primarily for transportation of persons and having a design capacity of twelve persons or less" (California Code of Regulations Title 13, Division 3, Chapter 1, Article 1, §1900)

**PEARLESCENT:** exhibiting various colors depending on the angles of illumination and viewing, as observed in mother-of-pearl.

**PERMANENT:** the actual emission reductions that continue or endure for the duration of any Project utilizing the resulting ERC's as Offsets.

**PERMISSIVE-BURN DAY:** any day on which Agricultural Burning is not prohibited by the California Air Resources Board or the District.

**PERMIT TO OPERATE:** the written permit issued by the District for the operation of any facility, article, machine, Equipment, Emission Unit or other contrivance.

**PERSON:** any person, firm, association, organization, partnership, business trust, corporation, company, limited liability company, contractor, supplier, installer, user or owner, or any federal, state or local government agency, public district, or any officer or employee thereof.

**PHASE I VAPOR RECOVERY SYSTEM:** a system which recovers the hydrocarbon vapors resulting from the transfer of r Reactive o Organic c Compounds into a Stationary Tank or Mobile Transport Tank.

**PHASE II VAPOR RECOVERY SYSTEM:** a gasoline vapor recovery system that recovers vapors during the fueling of Motor Vehicles from stationary storage tanks.

**PHOTOCHEMICALLY REACTIVE SOLVENT:** any Solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, referred to the total volume of Solvent:

1. a combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cyclo-olefinic type of unsaturation: 5 percent;
2. a combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent;
3. a combination of ethylbenzene, ketones having branched hydrocarbon structures, or toluene: 20 percent.

**PLYWOOD:** a panel product consisting of layers of wood veneers or composite core pressed together with resin. Plywood includes panel products made by either hot or cold pressing (with resin) veneers to a platform.

**PM<sub>2.5</sub> NONATTAINMENT AREA:** that portion of Imperial County which lies within the line described as follows: (San Bernardino Base and Meridian) Beginning at the intersection of the United States-Mexico Border and the southeast corner of T17S R11E, then north along the range line of the eastern edge of range R11E, then east along the township line of the southern edge of T12S to the northeast corner of T13S R15E, then south along the range line common to R15E and R16E, to the United States-Mexico border.

**POST-CONSUMER COATING:** finished Coatings generated by a business or consumer that have served their intended end uses, and are recovered from or otherwise diverted from the waste stream for the purpose of recycling.

**POTENTIAL EMISSIONS:** the sum of the maximum emissions from all Emissions Units

at a Stationary Source, based on the maximum design capacity, unless otherwise limited by practically and legally Enforceable conditions contained in the Authority to Construct and/or Permit to Operate, expressed in terms of pounds per quarter. (Pounds per quarter for PM<sub>10</sub>, PM<sub>2.5</sub> and sulfur oxides shall be determined by multiplying the Daily Emission Limit, in pounds per day, by the permitted operating days per quarter.)

POTENTIAL TO EMIT: the maximum capacity of an Emissions Unit to emit an Affected Pollutant based on its physical and operational design. Any physical or operational limitation on the capacity of the Emission Unit to emit a pollutant, including air pollution Control Equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is incorporated into the applicable permit as a practically and legally Enforceable permit condition.

POWER RATING: means the maximum, continuous power output of a Stationary Gas Turbine(s), in megawatts (MW) or equivalent, as certified by the manufacturer unless limited by a condition in a District Authority to Construct or a Permit to Operate. Power augmentation shall not be included in Power Rating.

PRECURSOR: a directly emitted Affected Pollutant that, when released into the Atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which a state or National AAQS has been adopted, or whose presence in the Atmosphere will contribute to the violation of one or more state or National AAQS. The following Precursor secondary pollutant relationships shall be used for the purposes of these regulations:

#### PRECURSORS

Hydrocarbons and substituted hydrocarbons (Volatile Organic Compounds.)

Nitrogen Oxides (NO<sub>x</sub>)

Sulfur Oxides (SO<sub>x</sub>)

#### SECONDARY POLLUTANTS

- a) Photochemical Oxidant (Ozone)
- b) The organic fraction of PM<sub>10</sub>.
- c) Organic fraction of PM<sub>2.5</sub> ~~if Volatile Organic Compounds are determined to be necessary part of the PM<sub>2.5</sub> control strategy in the attainment demonstration approved by the US EPA in the SIP~~

- a) Nitrogen Dioxide (NO<sub>2</sub>)
- b) The nitrate fraction of PM<sub>10</sub>
- c) Photochemical Oxidant (Ozone)
- d) The nitrate fraction of PM<sub>2.5</sub>

- a) Sulfur Dioxide (SO<sub>2</sub>)
- b) Sulfates (SO<sub>4</sub>)
- c) The sulfate fraction of PM<sub>10</sub>
- d) The sulfate fraction of PM<sub>2.5</sub>

Ammonia

- a) The ammonium fraction of PM<sub>2.5</sub> ~~Organic fraction of Nitrate, if ammonia is determined to be a necessary part of the attainment demonstration approved by the US EPA in the SIP~~

PREPREG COMPOSITE MATERIAL: for the purposes of Rule 425, means, a reinforcing material impregnated with partially polymerized organic resins and ready for application.

PRESSURE TANK: a tank which maintains working pressure sufficient at all times to prevent hydrocarbon vapor or gas loss into the Atmosphere.

PRE-TREATMENT WASH PRIMER: a Primer that contains a minimum of 0.5 percent acid, by weight, when tested in accordance with ASTM D1613-06, incorporated by reference in Rule 424, subsection G.5.e that is labeled and formulated for application directly to bare metal surfaces to provide corrosion resistance and to promote adhesion of subsequent topcoats.

PRETREATMENT COATING: for the purposes of Rule 427, any Coating that contains a minimum of one-half (0.5) percent acid by weight and not more than 16 percent solids by weight necessary to provide surface etching and is labeled and formulated for application directly to bare metal surfaces to provide corrosion resistance and adhesion.

PRIMER, SEALER, AND UNDERCOATER: for purposes of Rule 424, a Primer, Sealer, and Undercoater is a Coating labeled and formulated for one or more of the following purposes;

1. to provide a firm bond between the substrate and the subsequent Coatings; or
2. to prevent subsequent Coatings from being absorbed by the substrate; or
3. to prevent harm to subsequent Coatings by materials in the substrate; or
4. to provide a smooth surface for the subsequent application of Coatings; or
5. to provide a clear finish coat to seal the substrate; or
6. to block materials from penetrating into or leaching out of a substrate.

PRIMER: for purposes of Rule 427, Primer is any Coating which is labeled and formulated for application to a substrate to provide:

1. a bond between the substrate and subsequent coats
2. corrosion resistance

3. a smooth substrate surface, or
4. resistance to penetration of subsequent coats, and on which a subsequent Coating is applied.

Primers may be pigmented.

**PRIMER SEALER:** for purposes of Rule 427, a Primer Sealer is any Coating which is labeled and formulated for application prior to the application of a color Coating for the purpose of color uniformity, or to promote the ability of the underlying Coating to resist penetration by the color Coating.

**PRIMER SURFACER:** any Coating applied prior to the application of a Topcoat for the purpose of corrosion resistance, adhesion of the Topcoat, and which promotes a uniform surface by filling in surface imperfections.

**PRIORITY RESERVE:** a depository of emission reductions for loan to applicable priority sources for use as Offsets.

**PROCESS HEATER:** means any combustion Equipment fired with liquid and/or gaseous fuel and which transfers heat from the combustion gases to water or processes stream. Heaters used for swimming pools, spas and/or therapy pools shall be considered Process Heaters. "Process Heater" shall not include any combustion Equipment where the material being heated is in direct contact with the products of combustion, such as Furnaces or Kilns, or any unfired waste heat recovery heater that is used to recover sensible heat from the exhaust of any combustion Equipment.

**PROCESS WEIGHT PER HOUR:** the total weight of all materials introduced into any specific process which process may cause any discharge into the Atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. "The Process Weight Per Hour" will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the Equipment is idle. Cooling air and cooling water will not be considered as part of the process weight.

**PROJECT:** activity, for which a permit is required, or that has the Potential to Emit Air Contaminants. A project includes all of the Emission Units associated with the scope of the preconstruction application for a new or modified Stationary Source and any Emissions Unit(s) indirectly affected.

**PROPOSED EMISSIONS:** the Potential to Emit for a new or post Modification Emissions Unit.

**QUANTIFIABLE:** means a reliable, replicable and accurate basis for calculating the

amount, rate, nature and characteristic of an emission reduction by adhering to a quantification protocol that can be established, considering US EPA, CARB and District policies and procedures.

QUARTERLY: the calendar quarter beginning in January 1, April 1, July 1, and October 1.

QUICK-DRY ENAMEL: a Nonflat Coating that is labeled as specified in Rule 424, subsection E.9 and that is formulated to have the following characteristics:

1. is capable of being applied directly from the container under normal conditions with ambient temperatures between 60°F and 80°F (16°C and 27°C).
2. when tested in accordance with ASTM D1640-95, incorporated by reference in Rule 424, section G.5.f, sets to touch in 2 hours or less, is tack free in 4 hours or less, and dries hard in 8 hours or less by the mechanical test method; and
3. has a dried film gloss of 70 or above on a 60 degree meter.

Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

QUICK-DRY PRIMER, SEALER AND UNDERCOAT: a Primer, Sealer or Undercoat that is dry to the touch in 30 minutes and can be recoated in 2 hours when tested in accordance with ASTM D1640-95, incorporated by reference in Rule 424, section G.5.f. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

RAINY PERIOD: for the purpose of Rule 420, when the twenty-four (24) hour measured rainfall amount ending at 4 a.m. is between 0.20 inches and 0.75 inches.

RANGE IMPROVEMENT BURNING: the use of open outdoor fires to remove vegetation for a wildlife, game or livestock habitat or for the initial establishment of an agricultural practice on previously uncultivated land.

RATED BRAKE HORSEPOWER: the maximum Rated Brake Horsepower specified for the engine by the manufacturer and listed on the nameplate for the unit, regardless of any derating, unless limited by the engine's Permit to Operate (PTO).

REACTIVE ORGANIC COMPOUND (ROC): see Volatile Organic Compound (VOC) definition.

REACTIVE PENETRATING SEALER: a clear or pigmented Coating that is labeled and formulated for application to above-grade concrete and masonry substrates to provide



protection from water and waterborne contaminants, including, but not limited to, alkalis, acids, and salts. Reactive Penetrating Sealers must penetrate into concrete and masonry substrates and chemically react to form covalent bonds with naturally occurring minerals in the substrate. Reactive Penetrating Sealers line the pores of concrete and masonry substrates with a hydrophobic Coating, but do not form a surface film. Reactive Penetrating Sealers must meet all of the following criteria:

1. the Reactive Penetrating Sealer must improve water repellency at least 80 percent after application on a concrete or masonry substrate. This performance must be verified on standardized test specimens, in accordance with one or more of the following standards, incorporated by reference in Rule 424, subsection G.5.u, ASTM C67-07, or ASTM C97-02, or ASTM C140-06; and
2. the Reactive Penetrating Sealer must not reduce the water vapor transmission rate by more than 2 percent after application on a concrete or masonry substrate. This performance must be verified on standardized test specimens in accordance with ASTM E96/E96M-05, incorporated by reference in Rule 424, subsection G.5.v; and
3. products labeled and formulated for vehicular traffic surface chloride screening applications must meet the performance criteria listed in the National Cooperative Highway Research Report 244 (1981), incorporated by reference in Rule 424, subsection G.5.w.

Reactive Penetrating Sealers must be labeled in accordance with Rule 424, subsection E.10.

REAL: a "real" emission reduction means that actual air emissions are reduced and that they are actually occurring and not artificially devised.

REASONABLE FURTHER PROGRESS: annual incremental reductions in emissions required for the purpose of ensuring attainment of state or federal Ambient Air Quality Standards by the applicable date.

REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT): is the most stringent of the following control options:

1. the most effective emission limits in existing regulations that are currently in effect in any District whose nonattainment status is designated as moderate, with such limits resulting from the application of retrofit technologies judged by the APCO to be demonstrated and reliable.
2. emission limits identified in existing Suggested Control Measures (SCM's), model rules, the US EPA's Control Techniques Guidelines (CTG's) or other such documents.

3. emission limits in new (post 1988) SCM's and the technical review group of the California Air Pollution Control Officers Association approved Reasonably Availability Control Technology/Best Available Retrofit Control Technology (RACT/BARCT) determinations, which are not identified as BACT and are less stringent than BACT.
4. the lowest emission limit that can be achieved by the specific Source by the application of control technology taking into account environmental impacts, technological feasibility, cost-effectiveness, and the specific design features or extent of necessary Modifications to the Source. Emission limits for existing specific Sources may be found in the field studies and evaluations of District regulations conducted by the US EPA and the CARB.
5. the lowest emission limit achieved for the Source category that is technically feasible, economically reasonable and achieved in practice anywhere (including outside the United States), with such limits resulting from the application of retrofit control technologies judged by the APCO to be demonstrated and reliable.
6. any combination of control technologies that will achieve emission reductions equivalent to that resulting from the most stringent option listed above.

**REBUILT EQUIPMENT:** for the purposes of Rule 415, means any component of a Vapor Recovery System that has undergone repair or replacement of any or all of its internal parts.

**RECONSTRUCTED STATIONARY SOURCE:** any Stationary Source undergoing physical Modification where the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost of a comparable entirely new Stationary Source. Fixed capital cost means that capital needed to provide all the depreciable components.

**RECYCLED COATING:** an Architectural Coating formulated such that it contains a minimum of 50% by volume post-consumer Coating, with a maximum of 50% by volume secondary industrial materials or virgin materials.

**REDUCER:** the Solvent used to thin enamel.

**REDUCTION OF ANIMAL MATTER:** processing animal matter by any process, including rendering, cooking, drying, dehydration, digestion, and evaporation, but not including any processing of food for human consumption.

**REFINISHING:** any Coating of vehicles, their parts and components, or Mobile Equipment, including partial body collision repairs, for the purpose of protection or beautification and which is subsequent to the original Coating applied at an original Equipment manufacturing (OEM) plant Coating assembly line.

**REMOTE RESERVOIR:** liquid Organic Solvent tank which is completely enclosed

except for a Solvent return opening no larger than 100 cm<sup>2</sup> (15 in<sup>2</sup>) which allows used Organic Solvent to drain into it from a separate Organic Solvent sink or work area and which is not accessible for soaking parts.

**RESIDENTIAL:** areas where people reside or lodge, including, but not limited to, single and multiple family dwellings, condominiums, mobile homes, apartment complexes, motels, and hotels.

**RESIDENTIAL RUBBISH:** refuse originating from Residential uses and includes wood, paper, cloth, cardboard, tree trimmings, leaves, lawn clippings, and dry plants, but not household garbage.

**RETAIL FACILITY OR RETAIL SERVICE STATION:** is any Motor Vehicle refueling facility subject to payment of California sales tax on gasoline sales.

**RICH BURN ENGINE:** any spark or compression ignited Internal Combustion Engine that is operated with an exhaust gas stream oxygen concentration of less than four percent (4%) by volume. The exhaust gas oxygen content shall be determined from the uncontrolled exhaust gas stream.

**ROAD OILS:** slow cure asphalts.

**ROC ANALYZER:** hydrocarbon analyzer satisfying United States Environmental Protection Agency Method 21, 40 CFR Part 60.

**ROOF COATING:** a non-bituminous Coating labeled and formulated for application to roofs for the primary purpose of preventing water penetration, reflecting ultraviolet light, or reflecting solar radiation.

**RULE:** a Rule of the Air Pollution Control District of Imperial County.

**RUST PREVENTATIVE COATING:** a Coating formulated to prevent the corrosion of metal surfaces for one or more of the following applications:

1. direct-to-metal Coating; or
2. Coating intended for application over rusty, previously coated surfaces.

The Rust Preventative category does not include the following:

3. Coatings that are required to be applied as a topcoat over a p Primer; or
4. Coatings that are intended for use on wood or any other non-metallic surface.

Rust Preventative Coatings are for metal substrates only and must be labeled as such, in accordance with the labeling requirements in Rule 424, subsection E.7.

**SANDING SEALER:** a clear or semi-transparent Wood Coating labeled and formulated for application to bare wood to seal the wood and to provide a coat that can be abraded to create a smooth surface for subsequent applications of Coatings. A Sanding Sealer that also meets the definition of a Lacquer is not included in this category, but is included in the Lacquer category. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**SEASONAL SOURCE:** any Stationary Source with more than 75 percent of its annual operating hours within a consecutive 120 day period.

**SECONDARY EMISSIONS:** means emissions which would occur as a result of the Construction or operation of a Stationary Source or Modification, but do not come from the Stationary Source or Modification itself. Secondary emissions must be specific, well defined, Quantifiable, and impact the same general area as the Stationary Source or Modification which causes the Secondary Emissions. Secondary Emissions include emissions from any offsite support facility which would not be constructed or increase its emissions except as a result of the Construction or operation of the Stationary Source. Secondary Emissions do not include any emissions which come directly from a mobile source such as emissions from the tailpipe of a Motor Vehicle, from a train, or from a vessel.

**SECONDARY INDUSTRIAL MATERIALS:** products or by-products of the paint manufacturing process that are of known composition and have economic value but can no longer be used for their intended purpose.

**SEMITRANSSPARENT COATING:** a Coating that contains binders and colored pigments and is formulated to change the color of the surface, but not conceal the grain pattern or texture.

**SEMI-TRANSPARENT STAINS:** Coatings which are formulated to change the color of a surface but not conceal the surface.

**SEMI-TRANSPARENT WOOD PRESERVATIVES:** Wood Preservative Stains formulated and used to protect exposed wood from decay or insect attack by the addition of a Wood Preservative chemical registered by the California Department of Food and Agriculture, which change the color of a surface but do not conceal the surface, including clear Wood Preservatives.

**SHELLAC:** a clear or opaque Coating formulated solely with the resinous secretions of the lac beetle (*Lacifer lacca*), and formulated to dry by evaporation without a chemical reaction.

**SHOP APPLICATION:** application of a Coating to a product or a component of a product in or on the premises of a factory or a shop as part of a manufacturing,

production, or repairing process (e.g., original Equipment manufacturing Coatings).

**SHUTDOWN:** means an action necessary to cease operation of an Emissions Unit and includes the amount of time needed to safely do so. For the purposes of calculating ERC's, means the Permanent cessation of emissions from an emitting unit and the surrender of the operating permit.

**SIGNIFICANT:** in reference to an Emissions Increase or the potential of a Source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:

1. PM<sub>2.5</sub>: 10 tpy of direct PM<sub>2.5</sub> or 40 tpy of sulfur dioxide ~~emissions or 40 tpy of nitrogen oxide emissions~~, nitrogen oxide, VOC's or Ammonia.
2. Nitrogen oxides: 40 tpy
3. Sulfur dioxide: 40 tpy
4. VOC's: 40 tpy; and
5. PM<sub>10</sub>: 15 tpy

**SIGNIFICANT EMISSIONS INCREASE:** an increase in emissions that is Significant for that pollutant.

**SIGNIFICANT NET EMISSIONS INCREASE:** an increase in net emissions that is Significant for that pollutant. The "net emissions increase" shall be determined as defined in 40 CFR 51.165.

**SINGLE-STAGE COATING:** any pigmented Coating, excluding Primers and Multi-Color Coatings, labeled and formulated for application without a subsequent clear coat. Single-stage Coatings include single-stage metallic/iridescent Coatings.

**SOAP BUBBLE SCORE:** the magnitude of a leak as indicated by the size of bubble formation resulting from spraying the suspected area with a standard solution. Soap scores are assigned following six seconds of observation as follows:

Soap Score	Estimate Bubble Volume (cc/6 Sec.)
0	No detectable bubbling
1	0 to 1 cc per 6 sec.
2	1 to 10 cc per 6 sec.
3	10 to 100 cc per 6 sec.
4	Greater than 100 cc per 6 sec.

**SOLICIT:** to require for use or to specify, by written or oral contract.

**SOLVENT:** for purposes of Rule 427, a VOC-containing fluid used to perform cleaning operations.

**SOURCE:** a specific device, article, or piece of Equipment from which Air Contaminants are emitted, or the distinct place (such as with fires or other chemical activity) from which Air Contaminants are emitted. A Project or facility may have more than one Source and the term may be used to describe a group of "Sources."

**SPACE VEHICLE:** a vehicle designed for use beyond the earth's Atmosphere.

**SPECIALTY COATING:** a Coating used for limited, specialty applications, such as Camouflage Coatings or extreme performance Coatings. Such Coatings frequently have no complying counterpart, and often must be used to fulfill specific performance requirements of the particular Coating application.

**SPECIALTY PRIMER, SEALER, AND UNDERCOATER:** a Coating that is formulated for application to a substrate to block water-soluble Stains resulting from: fire damage; smoke damage; or water damage. Specialty Primers, Sealers, and Undercoaters must be labeled in accordance with Rule 424, subsection E.8. Until January 1, 2012, the Specialty Primer, Sealer, and Undercoater includes Coatings formulated to seal excessively chalky surfaces. An excessively chalky surface is one that is defined as having a chalk rating of four or less as determined by ASTM D4214-98, incorporated by reference in Rule 424, subsection G.5.g.

**SPOT REPAIR:** repair of an area on a Motor Vehicle, piece of Mobile Equipment, or associated parts or components of less than 1 square foot (929 square centimeters).

**SPRAY SAFETY SWITCH:** safety switch which cuts off the spray applicator pump if vapor levels drop below a specific level.

**STACK-GAS OXYGEN SYSTEM:** means a system of monitors that is used to maintain excess air at the desired level. A typical system consists of a flue gas oxygen and/or carbon monoxide monitor that automatically provides a feedback signal to the combustion air controller.

**STAIN:** a semi-transparent, or opaque Coating labeled and formulated to change the color of a surface but not conceal the grain pattern or texture.

**STANDARD CONDITIONS:** a gas temperature of 60 degrees Fahrenheit and a gas pressure of 14.7 pounds per square inch absolute. Results of all analyses and tests shall be calculated or reported at this gas temperature and pressure.

**STARTUP:** means an action necessary to begin operation of a unit and includes the amount of time needed for a unit and ancillary Equipment to achieve stable operations.

STATE BOARD: the California Air Resources Board, or any Person authorized to act on its behalf.

STATIONARY GAS TURBINE(S): means any gas turbine system, with or without power augmentation, which is permanently attached to a foundation, or is not a portable gas turbine. Two or more gas turbines powering a common shaft shall be treated as one gas turbine.

STATIONARY SOURCE: any building, structure, facility, Equipment, or Emissions Unit which emits or may emit any Affected Pollutant directly or as a Fugitive Emission. Building, structure, or facility includes all pollutant emitting activities, including Emission Units, which:

1. are located on one or more contiguous or adjacent properties, and
2. are under the same or common ownership or operation, or which are owned or operated by entities which are under common control, and
3. belong to the same industrial grouping either by virtue of falling within the same two-digit standard industrial classification code or by virtue of being part of a common production process, industrial process, manufacturing process, or connected process involving a common raw material.

STATIONARY TANK: any tank, reservoir or other container used to store, but not transport, Reactive Organic Compounds.

STENCIL COATING: for the purposes of Rule 425, means an ink or Coating which is rolled, sprayed with an airbrush or a touch-up gun with a capacity of 8 ounces (236.4 ml) or less, or brushed using a template to add identifying letters and/or numbers to Aerospace Component.

STONE CONSOLIDANT: a Coating that is labeled and formulated for application to stone substrates to repair historical structures that have been damaged by weathering or other decay mechanisms. Stone Consolidants must penetrate into stone substrates to create bonds between particles and consolidate deteriorated material. Stone Consolidants must be specified and used in accordance with ASTM E2167-01, incorporated by reference in Rule 424, subsection G.5.x. Stone Consolidants are for professional use only and must be labeled as such, in accordance with the labeling requirements in Rule 424, subsection E.11.

STRIPPER: a Reactive Organic Compound liquid applied to remove a Maskant, paint, paint residue or temporary protective Coating.

SUBMERGED FILL PIPE: any permanent fill pipe which has its discharge opening entirely submerged when the liquid level is six inches above the bottom of the tank. "Submerged Fill Pipe" when applied to a tank which is loaded from the side means any

fill pipe which has its discharge opening entirely submerged when the liquid level is 18 inches above the bottom of the tank.

**SURFACE PREPARATION SOLVENT:** any Solvent used primarily for the conditioning of a surface to receive a Coating.

**SURPLUS:** the amount of emission reductions that are, at the time of generation of an ERC, not otherwise required by federal, State, or local law, not required by any legal settlement or consent decree, and not relied upon to meet any requirement related to the California SIP. For the purpose of Rule 207, sections C.2.c and C.2.d, "Surplus" means the amount of emission reductions that are, at the time of use of an ERC, not otherwise required by federal, State, or local law, not required by any legal settlement or consent decree, and not relied upon to meet any requirement related to the California SIP. However, emission reductions required by a state statute that provides that the subject emission reductions shall be considered Surplus may be considered Surplus for purposes of Rule 207 if those reductions meet all other requirements of Rule 207. Examples of federal, State, and local laws and of SIP-related requirements include, but are not limited to, the following:

1. the federally-approved California SIP;
2. other adopted State air quality laws, and regulations not in the SIP, including but not limited to, any requirement, regulation, or measure that : (1) the District or the State has included on a legally-required and publicly-available list of measures that are scheduled for adoption by the District or the State in the future; or (2) is the subject of a public notice distributed by the District or the State regarding an intent to adopt such revision;
3. any other Source or Source-category specific regulatory or permitting requirement, including, but not limited to, RACT, New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), Best Available Control Measures (BACM), BACT, and the Lowest Achievable Emission Rates (LAER); and
4. any regulation or supporting documentation that is required by the CAA but is not contained or referenced in 40 CFR Part 52, including but not limited to: assumptions used in attainment and maintenance demonstrations (including Reasonable Further Progress demonstrations and milestone demonstrations), including any proposed control measure identified as potentially contributing to an Enforceable near-term emissions reduction commitment; assumptions used in conformity demonstrations, and assumptions used in emissions inventories.
5. emission reductions produced by monies from any public air quality related funding program including but not limited to the Carl Moyer Memorial Air Quality Standards Attainment Program and the vehicle registration surcharge fee.



**SWIMMING POOL COATING:** a Coating labeled and formulated to coat the interior of swimming pools and to resist swimming pool chemicals. Swimming Pool Coatings included Coatings used for swimming pool repair and maintenance.

**SWIMMING POOL REPAIR AND MAINTENANCE COATING:** a rubber based Coating labeled and formulated to be used over existing rubber based Coatings for the repair and maintenance of swimming pools. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**SWITCH LOADING:** the loading of organic liquids with a Reid vapor pressure of less than 4.0 pounds into a delivery vessel where the previous load was gasoline.

**TACK COAT:** any application of Asphalt applied to an existing surface to provide a bond between new surfacing and an existing surface and to eliminate slippage planes where the new and existing surfaces meet.

**TANK REPLACEMENT:** the replacement of one or more stationary Gasoline storage tanks at an existing Gasoline dispensing facility, or, the excavation of 50 percent or more of an existing Gasoline dispensing facility's total underground liquid Gasoline piping from the stationary storage tanks to the Gasoline dispensers.

**TEMPERATURE-INDICATOR SAFETY COATING:** a Coating labeled and formulated as a color-changing indicator Coating for the purpose of monitoring the temperature and safety of the substrate, underlying piping, or underlying Equipment, and for application to substrates exposed continuously or intermittently to temperatures above 400°F (204°C). Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**TEMPORARY PROTECTIVE COATING:** for the purposes of Rule 427, any Coating which is labeled and formulated for the purpose of temporarily protecting areas from overspray or mechanical damage.

**THERMAL OXIDIZER:** means combustion Equipment fired with Gaseous Fuel and used to control emissions of Air Contaminants from industrial or commercial processes.

**THERMO CONTROL COATING:** a Coating applied to Space Vehicle components to reflect heat and formulated to give specific heat reflectance, absorption and emissivity properties, or a Coating required for aerospace engine components to delay component failure due to fire.

**TINT BASE:** an Architectural Coating to which colorant is added after packaging in sale units to produce a desired color.

**TOPCOAT:** a Coating applied over a Primer as the final coat for purposes such as

appearance, identification, or protection.

**TOTAL REDUCED SULFUR COMPOUNDS:** the sulfur compounds methyl mercaptan, dimethyl sulfide, dimethyl disulfide, carbon disulfide, and carbonyl sulfide.

**TOUCH-UP COATING:** for the purposes of Rule 425, means a Coating that is used for that portion of the Coating operation which is incidental to the main Coating process but necessary to cover minor imperfections or to achieve coverage as required. A touch-up Coating may include small amounts of Solvent, applied by hand, used to attach Coating patches exhibiting inadequate adhesion.

**TOXIC AIR CONTAMINANT:** an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness or which may pose a present or potential hazard to human health. This includes, but is not limited to, hazardous air pollutants listed in Section 112(b) of the Clean Air Act, which is incorporated by reference.

**TRAFFIC MARKING COATING:** a Coating labeled and formulated for marking and striping streets, highways, or other traffic surfaces including, but not limited to, curbs, berms, driveways, parking lots, sidewalks, and airport runways.

**TRANSFER:** in reference to ERC's, means the conveyance of an ERC from one entity to another

**TRANSFER EFFICIENCY:** is the amount of Coating solids adhering to the object being coated divided by the total amount of Coating solids sprayed, expressed as a percentage.

**TREATED BRUSH:** material to be burned that has been felled, crushed or uprooted with mechanical Equipment, or desiccated with herbicides.

**TRUCK BED LINER COATING:** any Coating, excluding clear, color, multi-color, and single stage Coatings, labeled and formulated for application to a truck bed to protect it from surface abrasion.

**TUB AND TILE REFINISH COATING:** a clear or opaque Coating that is labeled and formulated exclusively for refinishing the surface of a bathtub, shower, sink, or countertop. Tub and Tile Refinish Coatings must meet all of the following criteria:

1. the Coating must have a scratch hardness of 3H or harder and a gouge hardness of 4H or harder. This must be determined on bonderite 1000, in accordance with ASTM D3363-05, incorporated by reference in Rule 424, subsection G.5.p and
2. the Coating must have a weight loss of 20 milligrams or less after 1000 cycles. This must be determined with CS-17 wheels on bonderite 1000, in accordance with ASTM D4060-07 incorporated by reference in Rule 424, subsection G.5.q

and

3. the Coating must withstand 1000 hours or more of exposure with few or no #8 blisters. This must be determined on unscribed bonderite, in accordance with ASTM D4585-99 and ASTM D714-02e1, incorporated by reference in Rule 424, subsection G.5.r and
4. the Coating must have an adhesion rating of 4B or better after 24 hours of recovery. This must be determined on unscribed bonderite, in accordance with ASTM D4585-99 and ASTM D3359-02, incorporated by reference in Rule 424, subsection G.5.o.

ULTRASONIC: enhancement of cleaning process by vibrating Organic Solvent with high frequency sound waves, causing implosion of microscopic vapor cavities within liquid Organic Solvent.

UNDERBODY COATING: for purposes of Rule 427, any Coating labeled and formulated for application to wheel wells, the inside of door panels or fenders, the underside of a trunk or hood, or the underside of the Motor Vehicle.

UNIFORM FINISH COATING: for purposes of Rule 427, any Coating labeled and formulated for application to the area around a Spot Repair for the purpose of blending a repaired area's color or clear coat to match the appearance of an adjacent area's existing Coating.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (US EPA): the Administrator or appropriate delegate of the "United States Environmental Protection Agency."

UNRESERVED FUND BALANCE: the excess of the assets of a governmental fund or trust fund over its liabilities and fund balance reserved accounts.

UPWIND: the area bounded by a line drawn perpendicular to the predominant wind flow line passing through or nearest to the site of the new source or Modification and extending to the boundaries of the same or adjoining counties within the same air basin except where the APCO determines that for reasons of topography or meteorology such a definition is inappropriate.

VAPOR LEVEL CONTROL THERMOSTAT: safety switch which turns off sump heater if temperature rises above design operating level at center of air-vapor interface.

VAPOR RECOVERY SYSTEM: a vapor-gathering system capable of collecting organic vapors and gases emitted during the operation of Equipment.

VAPOR TIGHT: for the purposes of Rule 415, means a leak of less than 100 percent of the lower explosive limit on a combustible gas detector measured at a distance of 2.5

cm (1 in) from the Source or no visible evidence of air entrainment in the sight glasses of liquid delivery hoses.

**VARIANCE:** an authorization by the Hearing Board to permit, for a specified limited period of time, some act contrary to the requirements specified by the District Rules and regulations.

**VARNISH:** a clear or semi-transparent Wood Coating, excluding Lacquers and Shellacs, formulated to dry by chemical reaction on exposure to air. Varnishes may contain small amounts of pigment to color a surface, or to control the final sheen or gloss of the Finish. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**VEHICLE CLASS:** either a Passenger Car, Light Duty Truck, Medium Duty Vehicle or Heavy Duty Vehicle as defined in Title 13 California Code of Regulation section 1900.

**VENEER:** thin sheets of wood peeled or sliced from logs for use in the manufacture of wood products such as plywood, laminated Veneer lumber, or other products.

**VIRGIN MATERIALS:** materials that contain no post-consumer Coatings or secondary industrial materials.

**VOLATILE FUEL:** any fuel having a Reid vapor pressure of greater than 3.0 pounds per square inch when tested pursuant to the American Society of Testing and Materials (ASTM) Reid Vapor Pressure test method, or having a true vapor pressure of greater than 3.0 pounds per square inch absolute at 100°F if the ASTM Reid Vapor Pressure test is not applicable.

**VOLATILE ORGANIC COMPOUND (VOC):** any volatile compound containing at least one atom of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, and excluding the following:

1. methane;  
methylene chloride (dichloromethane);  
1,1,1-trichloroethane (methyl chloroform);  
trichlorofluoromethane (CFC-11);  
dichlorodifluoromethane (CFC-12);  
1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113);  
1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114);  
chloropentafluoroethane (CFC-115);  
chlorodifluoromethane (HCFC-22);  
2,2-dichloro-1,1,1-trifluoroethane (HCFC-123);  
2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124);  
1,1-dichloro-1-fluoroethane (HCFC-141b);  
1-chloro-1,1-difluoroethane (HCFC-142b);

trifluoromethane (HFC-23);  
pentafluoroethane (HFC-125);  
1,1,2,2-tetrafluoroethane (HFC-134);  
1,1,1,2-tetrafluoroethane (HFC-134a);  
1,1,1-trifluoroethane (HFC-143a);  
1,1-difluoroethane (HFC-152a);  
cyclic, branched, or linear completely methylated siloxanes;  
the following classes of perfluorocarbons:

- (A) cyclic, branched, or linear, completely fluorinated alkanes;
  - (B) cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
  - (C) cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
  - (D) sulfur-containing perfluorocarbons with no unsaturations and with the sulfur bonds only to carbon and fluorine; and
2. the following low Reactive Organic Compounds which have been exempted by the US EPA:  
acetone;  
ethane;  
parachlorobenzotrifluoride (1-chloro-4-trifluoromethyl benzene);  
perchloroethylene;  
methyl acetate;  
propylene carbonate and  
dimethyl carbonate
3. Perfluorocarbon and Methylated Siloxane compounds shall be assumed to be absent from any product or process unless the manufacturer or operator indicates which specific, individual compounds from these broad classes are present, indicated the amount(s) present, and demonstrates the availability of a test method approved by the US EPA, the CARB, and the District for verifying the amount(s) present quantitatively.
4. Tertiary-Butyl Acetate (also known as t-butyl acetate, TBAC or TBAC) shall be considered exempt as a VOC only for purposes of VOC emissions limitations or VOC content requirements, but will continue to be a VOC for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling, and inventory requirements with apply to VOC's.

VOC ACTUAL: VOC Actual is the weight of VOC per volume of Coating and it is calculated with the following equation:

$$\text{VOC Actual} = \frac{(Ws - Ww - Wec)}{(Vm)}$$

Where:

VOC Actual = the grams of VOC per liter of Coating (also known as "Material VOC")  
Ws = weight of volatiles, in grams  
Ww = weight of water, in grams  
Wec = weight of exempt compounds, in grams  
Vm = volume of Coating, in liters

VOC CONTENT: the weight of VOC per volume of Coating. VOC Content is VOC Regulatory, as defined within this rule under VOC Regulatory, for all Coatings except those in the Low Solids category. For Coatings in the Low Solids category, the VOC Content is VOC Actual, as defined within this rule under VOC Actual. If the Coating is a multi-component product, the VOC content is VOC Regulatory as mixed or catalyzed. If the Coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOCs during the curing process, the VOC content must include the VOCs emitted during curing.

VOC REGULATORY: VOC Regulatory is the weight of VOC per volume of Coating, less the volume of water and exempt compounds. It is calculated with the following equation:

$$\text{VOC Regulatory} = \frac{(Ws - Ww - Wec)}{(Vm - Vw - Vec)}$$

Where:

VOC Regulatory = grams of VOC per liter of Coating, less water and exempt compounds (also known as "Coating VOC")  
Ws = weight of volatiles, in grams  
Ww = weight of water, in grams  
Wec = weight of exempt compounds, in grams  
Vm = volume of Coating, in liters  
Vw = volume of water, in liters  
Vec = volume of exempt compounds, in liters

WASTE HEAT RECOVERY BOILER: means Waste Heat Recovery Boilers used to recover sensible heat from unfired Waste Heat Recovery Boilers and from the exhaust of any combustion Equipment.

WATER TREATMENT ADDITIVES: any combination of chemicals used to treat cooling tower water. They include, but are not limited to, corrosion inhibitors antiscalants, dispersants and biocides.

WATERPROOFING CONCRETE/MASONRY SEALER: a clear or pigmented film-forming Coating that is labeled and formulated for sealing concrete and masonry to provide resistance against water, alkalis, acids, ultraviolet light, and staining. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable

category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**WATERPROOFING MEMBRANE:** a clear or opaque Coating that is labeled and formulated for application to concrete and masonry surfaces to provide a seamless waterproofing membrane that prevents any penetration of liquid water into the substrate. Waterproofing Membranes are intended for the following waterproofing applications: below-grade surfaces, between concrete slabs, inside tunnels, inside concrete planters, and under flooring materials. Waterproofing Membranes must meet the following criteria:

1. Coating must be applied in a single coat of at least 25 mils (at least 0.025 inch) dry film thickness; and
2. Coatings must meet or exceed the requirements contained in ASTM C836-06, incorporated by reference in Rule 424, subsection G.5.s.

The Waterproofing Membrane category does not include Topcoats that are included in the Concrete/Masonry Sealer category (e.g., parking deck Topcoats, pedestrian deck Topcoats, etc.).

**WATERPROOFING SEALER:** a Coating labeled and formulated for application to a porous substrate for the primary purpose of preventing the penetration of water. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**WIPE CLEANING:** method of cleaning which utilizes a cloth, cotton swab or other material, wetted with an Organic Solvent, which is physically rubbed on surface to be degreased.

**WOOD COATINGS:** Coatings labeled and formulated for application to Wood Substrates only. The Wood Coatings category includes the following clear and semitransparent Coatings: Lacquers; Varnishes; Sanding Sealers; penetrating oils; clear Stains; wood conditioners used as undercoats; and wood sealers used as Topcoats. The Wood Coatings category also includes the following opaque wood Coatings: opaque Lacquers; opaque Sanding Sealers; and opaque Lacquer undercoaters. The Wood Coatings category does not include the following: clear sealers that are labeled and formulated for use on concrete/masonry surfaces; or Coatings intended for substrates other than wood.

Wood Coatings must be labeled "For Wood Substrates Only", in accordance with Rule 424, subsection E.13.

**WOOD PRESERVATIVE:** a Coating labeled and formulated to protect exposed wood from decay or insect attack, that is registered with both the US EPA under the Federal

Insecticide, Fungicide, and Rodenticide Act (7 United States Code (U.S.C.) Section 136, *et seq.*) and with the California Department of Pesticide Regulation.

**WOOD SUBSTRATE:** a substrate made of wood, particleboard, plywood, medium density fiberboard, rattan, wicker, bamboo, or composite products with exposed wood grain. Wood Products do not include items comprised of simulated wood.

**ZINC-RICH PRIMER:** a Coating that meets all of the following specifications:

1. Coating contains at least 65 percent metallic zinc powder or zinc dust by weight of total solids; and
2. Coating is formulated for application to metal substrates to provide a firm bond between the substrate and subsequent applications of Coatings; and
3. Coating is intended for professional use only and is labeled as such, in accordance with the labeling requirements in Rule 424, subsection E.14.



**RULE 101 DEFINITIONS**

(Adopted 7/28/81; Revised 9/14/99; 1/16/2001; 12/11/2001; 08/13/02; 01/11/2005; 10/10/2006; 02/23/2010; 10/22/2013; 2/9/2016; 09/11/2018)

Except where the context otherwise indicates, the following definitions shall govern the implementation of these Rules and Regulations. Also, pursuant to Rule 115, definitions contained in applicable sections of the California Health and Safety Code and Title 17 of the California Code of Regulations, as well as the Federal Clean Air Act and implementing regulations, may be used even when not set forth herein.

**ACCELERATED VEHICLE RETIREMENT PROGRAM:** a program creating Actual Emission Reductions by the accelerated retirement of on-road motor vehicles for purposes of establishing Mobile Source Emission Reduction Credits (MSERC) pursuant to Rule 214.1.

**ACTUAL EMISSIONS:** measured or calculated emissions, which most accurately represent the emissions from an Emissions Unit. Determination of Actual Emissions must be based on average actual production rates, fuel consumption and/or throughput rates from the last consecutive 24 months. Emission factors shall be established by Source testing or obtained from AP-42 or other approved sources.

**ACTUAL EMISSIONS REDUCTIONS (AER):** reductions of Actual Emissions from an Emissions Unit, calculated pursuant to Section E.2 of Rule 207, which are Real, Quantifiable, Surplus, Permanent and Enforceable.

**ACTUAL INTERRUPTIONS OF POWER:** the interruption of electrical service by an unforeseeable event.

**ADDITIVE:** any substance added in small quantities to another substance or mixture in order to increase volume and/or change the physical properties of the mixture.

**ADHESION PROMOTER:** a Coating, which is labeled and formulated to be applied to uncoated plastic surfaces to facilitate bonding of subsequent Coatings, and on which, a subsequent Coating is applied.

**ADHESIVE:** any chemical substance that is applied for the purpose of bonding two surfaces together other than by mechanical means.

**ADHESIVE BONDING PRIMER:** a Coating applied in a very thin film to aerospace adhesive bond detail components for corrosion inhibition and adhesion of the subsequently applied adhesive.

**ADHESIVE BONDING PRIMER, STRUCTURAL:** an adhesive bonding primer used in conjunction with structural adhesives to form load carrying aircraft components.

**ADHESIVE BONDING PRIMER FOR ELASTOMERS AND ELASTOMERIC ADHERENTS:** an adhesive bonding primer applied to elastomers or nonmetallic substrates for adhesion of the subsequently applied adhesive.

**ADMINISTRATOR:** the Administrator of the United States Environmental Protection Agency (US EPA).

**AEROSPACE COMPONENT:** any fabricated part, assembly of parts or completed unit of any aircraft, helicopter, missile or space vehicle.

**AEROSOL COATING PRODUCT:** a pressurized Coating product containing pigments or resins that dispenses product ingredients by means of a propellant, and is packaged in a disposable can for hand held application, or for use in specialized Equipment for ground traffic/marketing applications.

**AFFECTED POLLUTANTS:** pollutants for which an Ambient Air Quality Standard (AAQS) have been established by the United States Environmental Protection Agency (US EPA) or the California Air Resources Board (CARB) and the Precursors to such pollutants, and those pollutants regulated by the US EPA under the Clean Air Act (CAA) or by the CARB under the Health and Safety Code (H&SC), except for greenhouse gases and hazardous air pollutants, including but not limited to Volatile Organic Compounds (VOC), nitrogen oxides (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), Particulate Matter with an aerodynamic diameter equal to or less than 10 micrometers (PM<sub>10</sub>), Particulate Matter with an aerodynamic diameter equal to or less than 2.5 micrometers (PM<sub>2.5</sub>), carbon monoxide (CO), lead, fluorides, sulfuric acid mist, hydrogen sulfide, and total reduced sulfur compounds. The term *Affected Pollutant* shall not include any or all hazardous air pollutants either listed in Section 112 of the CAA or added to the list pursuant to Section 112(b)(2) of the CAA, and which have not been delisted pursuant to Section 112(b)(3) of the CAA, unless the listed hazardous air pollutant is also regulated as a constituent or Precursor of a general pollutant listed under Section 108 of the CAA.

**AGRICULTURAL BURNING:** open outdoor fires used in agricultural operations in the growing of crops or raising of fowls or animals, or open outdoor fires used in forest management, range improvement, or the improvement of land for wildlife and game habitat, or disease or pest prevention.

**AGRICULTURAL BURNING:** also means open outdoor fires used in the operation or maintenance of a system for the delivery of water for the purposes specified above.

**AGRICULTURAL BURNING:** also means open outdoor fires used in wild land vegetation management burning. Wild land vegetation management burning is the use of prescribed burning conducted by a public agency, or through a cooperative agreement or contract involving a public agency, to burn land predominantly covered with chaparral, trees, grass, or standing brush. Prescribed burning is the planned application of fire to vegetation to achieve any specific objective on lands selected in advance of that application. The planned application of fire may also include natural or accidental ignition.

**AGRICULTURAL SOURCE:** means a Source of air pollution or a group of Sources used in the production of crops, or the raising of fowl or animals located on Contiguous Property under common ownership or control that meets any of the following criteria;

1. is a Confined Animal Facility, including, but not limited to, any structure, building, installation, barn, corral, coop, feed storage area, milking parlor, or system for the collection, storage, treatment, and distribution of liquid and solid manure, if domesticated animals, including, but not limited to, cattle, calves, horses, sheep, goats, swine, rabbits, chickens, turkeys, or ducks are corralled, penned, or otherwise caused to remain in restricted areas for commercial agricultural purposes and feeding is by means other than grazing.
2. is an Internal Combustion Engine used in the production of crops or the raising of fowl or animals, including, but not limited to, an engine subject to Article 1.5 (commencing with Section 41750) of Chapter 3 of Part 4 of Division 26 of the Health & Safety Code except an engine that is used to propel implements of husbandry.
3. is a Title V Source, or is a Source that is otherwise subject to regulation by the District or the Clean Air Act.

**AIR CONTAMINANT:** any discharge, release, or other propagation into the Atmosphere and includes, but is not limited to, smoke, charred paper, Dust, soot, grime, carbon, fumes, gases, odors, Particulate Matter, acids, or any other combination thereof. For the purposes of Rule 403, the definition applies only to materials which are solid or liquid at Standard Conditions (60 degrees Fahrenheit, 760 mm Hg).

**AIR POLLUTION CONTROL OFFICER (APCO):** the person appointed by the Air Pollution Control Board and assigned to manage and direct the business and operations of the District, or their designee.

**ALTERNATIVE FUEL:** any fuel used for certifying a low emission vehicle, other than gasoline or diesel fuel.

**ALUMINUM ROOF COATING:** a Coating labeled and formulated exclusively for application to roofs and containing at least 84 grams of elemental aluminum pigment per liter of Coating (at least 0.7 pounds per gallon). Pigment content shall be determined in accordance with South Coast Air Quality Management District (SCAQMD) Method 318-95, incorporated by reference in Rule 424, subsection G.5.d.

**AMBIENT AIR QUALITY STANDARDS:** for the purposes of these regulations an Ambient Air Quality Standard (AAQS) shall be interpreted to include State and National AAQS. For the purposes of submittal of this Rule to the US EPA for inclusion in the California State Implementation Plan (SIP) all references in this Rule to AAQS shall be interpreted as National AAQS.

**ANNUAL CAPACITY FACTOR (ACF):** means the ratio of the amount of fuel burned by a unit in a calendar year to the amount of fuel it could have burned if it had operated at the heat input rating for 8,760 hours during the calendar year.

**ANTENNA COATING:** a Coating labeled and formulated exclusively for application to equipment and associated structural appurtenances that are used to receive or transmit electromagnetic signals. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**ANTIFOULING COATING:** a Coating labeled and formulated for application to submerged stationary structures and their appurtenances to prevent or reduce the attachment of marine or freshwater biological organisms. To qualify as an antifouling Coating, the Coating must be registered with both the US EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (7 United States Code, Subsection 135, *et seq.*) and with the California Department of Pesticide Regulation. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**ANTI-GLARE/SAFETY COATING:** a Coating, which does not reflect light.

**APPLICATION EQUIPMENT:** for the purposes of Rule 425, means Equipment used for applying Coating to a substrate. Application Equipment includes Coating distribution lines, Coating hoses, equipment used in hand application methods, and equipment used in mechanically operated application methods, including but not limited to spray guns, spinning disks, and pressure pots.

**APPROVED IGNITION DEVICES:** includes those instruments or materials that will ignite agricultural waste without the production of black smoke by the ignition device. This would include such items as liquid petroleum gas, butane, propane, and flares, but does not include the use of tires, tar paper, oil, and other similar materials.

**APPURTENANCES:** any accessory to a stationary structure coated at the site of installation, whether installed or detached, including but not limited to: bathroom and kitchen fixtures; cabinets; concrete forms; doors; elevators; fences; hand railings; heating equipment, air conditioning equipment, and other fixed mechanical equipment or stationary tools; lampposts; partitions; pipes and piping systems; rain gutters and downspouts; stairways, fixed ladders, catwalks, and fire escapes; and window screens.

**ARCHITECTURAL COATINGS:** a Coating to be applied to stationary structures or their appurtenances at the site of installation, to portable buildings at the site of installation, to pavements, or to curbs. Coatings applied in shop applications or to non-stationary structures such as airplanes, ships, boats, railcars, and automobiles, and adhesives are not considered Architectural Coatings for the purposes of this Rule.

**ASPHALT:** the dark-brown to black cementitious material (solid, semi-solid, or liquid in consistency) of which the main constituents are b Bitumens that occur naturally or as a residue of petroleum refining.

**ASSEMBLY LINE:** an arrangement of industrial Equipment and workers in which the product passes from one specialized operation to another until complete, by either automatic or manual means.

**ASSOCIATED PARTS AND COMPONENTS:** structures, devices, pieces, modules, sections, assemblies, subassemblies, or elements of motor vehicles or mobile equipment that are designed to be a part of motor vehicles or mobile Equipment but which are not attached to motor vehicles or mobile Equipment at the time of Coating the structure, device, piece, module, section, assembly, subassembly, or element. "Associated Parts and Components" does not include circuit boards.

**ATMOSPHERE:** the air that envelopes or surrounds the earth. When air pollutants are emitted into or within a building, such emission into or within the building shall be considered an emission into the Atmosphere unless the building is designed specifically as a piece of air pollution control equipment.

**AUTHORITY TO CONSTRUCT:** a written permit issued by the District for the Construction, installation, assembly, Modification, or replacement of any facility, article, machine, Equipment, or other contrivance.

**AUTOMOTIVE COATING:** any Coating or Coating component used or recommended for use in Motor Vehicle or Mobile Equipment Refinishing, service, maintenance, repair, restoration, or Modification, except metal plating activities. Any reference to automotive Refinishing or Automotive Coating made by a Person on the container or in product literature constitutes a recommendation for use in Motor Vehicle or Mobile Equipment Refinishing.

**AUTOMOTIVE COATING COMPONENT:** any portion of a Coating, including, but not limited to, a Reducer or thinner, toner, hardener, and Additive, which is recommended by any Person to distributors or end-users for use in an Automotive Coating, or which is supplied for or used in an Automotive Coating. The raw materials used to produce the components are not considered Automotive Coating Components.

**AUTOMOTIVE REFINISHING FACILITY:** any shop, business, location, or parcel of land where Motor Vehicles or Mobile Equipment or their associated parts and components are coated including auto body collision repair shops. "Automotive Refinishing Facility" does not include the original Equipment manufacturing plant where the Motor Vehicle or Mobile Equipment is completely assembled.

**BANKING:** the District's system of quantifying, certifying, recording, and storing Emission Reduction Credits for future use or Transfer. This system shall be called Emission Reduction Credit Banking or Mobile Source Emission Reduction Credit.

**BANKING REGISTER:** the document that records all Emission Reduction Credits deposits, withdrawals, Transfers, and transactions.

**BASEMENT SPECIALTY COATING:** a clear or opaque Coating that is labeled and formulated for application to concrete and masonry surfaces to provide a hydrostatic seal for basements and other below-grade surfaces. Basement Specialty Coatings must meet the following criteria:

1. Coating must be capable of withstanding at least 10 psi of hydrostatic pressure, as determined in accordance with ASTM D7088-04, which is incorporated by reference in Rule 424, subsection G.5.n.
2. Coating must be resistant to mold and mildew growth and must achieve a microbial growth rating of 8 or more, as determined in accordance with ASTM D3273-00 and ASTM D3274-95, incorporated by reference in Rule 424, subsection G.5.t.

**BEEF FEEDLOT:** a lot, fenced area, or facility used for the feeding or holding of more than ten (10) cattle, except for Grazing Land as defined herein.

**BEST AVAILABLE CONTROL TECHNOLOGY (BACT):** for any Emissions Unit the more stringent of:

1. the most effective emission Control Device, emission limit, or technique which has been achieved in practice for such class or category of Source.
2. any other alternative emission Control Device, emission control technique, basic Equipment, fuel, or process determined to be technologically feasible and cost-effective by the APCO. Cost-effectiveness analyses shall be performed in accordance with methodology and criteria specified in the Best Available Control Technology Guideline for the South Coast Air Quality Management District, or an alternative methodology and criteria acceptable to the APCO.
3. under no circumstances shall BACT be determined to be less stringent than the emission control required by any applicable provision of law or regulation of the District, State and federal government, or the most stringent emissions limitation which is contained in the implementation plan of any State, unless the applicant demonstrates to the satisfaction of the APCO that such limitations are not technologically achievable. In no event shall the application of BACT result in the emissions of any pollutant which exceeds the emissions allowed by any applicable New Source Performance Standard (40 CFR, part 60) or National Emission Standard for Hazardous Air Pollutants (40 CFR, part 61 or part 63).

**BEST AVAILABLE RETROFIT CONTROL TECHNOLOGY (BARCT):** the most stringent and cost effective of the following control options:

1. the most effective elements of the related suggested control measure.
2. the most effective limits in effect in any regulation in California, in the United States, or in any other country for that Source category with such limits resulting from the application of retrofit control technologies judged by the APCO to be demonstrated and reliable.
3. the most effective limit for Source category determined to a reasonable degree of certainty, to be achievable in the near future.
4. any combination of control technologies that will achieve emission reductions equivalent to that resulting from the most stringent option listed above.

**BIOMASS:** material derived from the harvesting of crops or removal of vegetation, including timber, except for material from processed dimensional timber.

**BITUMENS:** black or brown materials including, but not limited to, asphalt, tar, pitch, and asphaltite that are soluble in carbon disulfide, consist mainly of hydrocarbons, and are obtained from natural deposits or as residues from the distillation of crude petroleum or coal.

**BITUMINOUS ROOF COATING:** a Coating, which incorporates Bitumens, that is labeled and formulated exclusively for roofing.

**BITUMINOUS ROOF PRIMER:** a Primer, which incorporates Bitumens that is labeled and formulated exclusively for roofing and intended for the purpose of preparing a weathered or aged surface or improving the adhesion of subsequent surfacing components.

**BOARD:** the Air Pollution Control Board of the Imperial County Air Pollution Control District.

**BOILER OR STEAM GENERATOR:** means any combustion Equipment fired with gaseous and/or liquid fuel and used to produce steam or to heat water. "Boiler" or "Steam Generator" shall not include waste heat recovery Boilers that are used to recover heat from the exhaust of Stationary Gas Turbines or Internal Combustion Engines, or any unfired waste heat recovery Boiler that is used to recover sensible heat from the exhaust of any combustion Equipment.

**BOND BREAKER:** a Coating labeled and formulated for application between layers of concrete to prevent a freshly poured top layer of concrete from bonding to the layer over which it is poured.

**BOTTOM LOADED:** a Gasoline Delivery Vessel shall be considered to be Bottom Loaded

when the fuel transfer and vapor return lines have separate, independent, and dedicated attachments on the delivery vessel, when the inlet is flush with the bottom of the storage device, and when the delivery vessel hatches remain closed during fuel transfer.

**BREAKDOWN:** an unforeseeable failure or malfunction of 1) any air pollution control Equipment, or related operating Equipment, which causes a violation of any emission limitation or restriction prescribed by these rules and regulations, or by State law, or 2) any monitoring Equipment, where such failure or malfunction is not the result of neglect or disregard of any air pollution control law or rules or regulations, is not intentional or the result of negligence, is not the result of improper maintenance, does not constitute a nuisance, and is not a recurrent breakdown of the same Equipment.

**BRITISH THERMAL UNIT (Btu):** means the amount of heat required to raise the temperature of one pound of water from 59F to 60F at one Atmosphere.

**BURN DAY:** any day on which Agricultural Burning is not prohibited by the Air Resources Board and/or the Imperial County Air Pollution Control District.

**CALIFORNIA AIR RESOURCES BOARD (CARB):** the California Air Resources Board or any Person authorized to act on its behalf.

**CAMOUFLAGE COATING:** a Coating applied on Motor Vehicles, or Mobile Equipment to conceal such vehicles or Equipment from detection and/or to provide resistance to chemical agents.

**CARB CERTIFIED VAPOR RECOVERY SYSTEM:** is any Phase I or Phase II Vapor Recovery System, which has been certified by the California Air Resources Board pursuant to Section 41954 of the California Health and Safety Code.

**CARGO CARRIERS:** Cargo Carriers are trains dedicated to a specific Stationary Source. For purposes of this Rule, the term "trains dedicated to a specific Stationary Source" shall not include any train for which the prime mover is owned and operated by a common carrier, and by which cargo is delivered to or from the Stationary Source under a contract of common carriage. The emissions from all trains dedicated to a specific Stationary Source, while operating in the District, including directly emitted and Fugitive Emissions, shall be considered as emissions from the Stationary Source.

**CATALYST:** a substance whose presence initiates/enhances the reaction between chemical compounds.

**CERTIFICATE:** a District issued document specifying information regarding an ERC/MSERC/ABERC including but not limited to the legal owner(s), certificate identification number, date of issuance, pollutant(s) reduced, type of pollutant, quantity of Actual Emission Reduction, time period for which the ERC/MSERC/ABERC is Valid and any other records as may be required as a condition of ERC/MSERC/ABERC issuance.



**CLASS I AREA:** any area listed as Class I in 40 CFR Part 81 Subpart D, including Section 81.405, or an area otherwise specified as Class I in the legislation that creates a national monument, a national primitive area, a national preserve, a national recreational area, a national wild and scenic river, a national wildlife refuge, a national lakeshore or seashore.

**CLEAN AIR ACT (CAA):** the Federal Clean Air Act (42 United States Code section 7401 et seq.) and implementing regulations. (see also Federal Clean Air Act)

**CLEANING OPERATIONS:** the removal of loosely held uncured Adhesives, inks, Coatings, or contaminants, including, but not limited to, dirt, soil, or grease, from Motor Vehicles, Mobile Equipment, associated parts and components, substrates, parts, products, tools, machinery, Equipment, or general work areas.

**CLEAR BRUSHING LACQUERS:** clear wood finishes, excluding clear lacquer sanding sealers, formulated with nitrocellulose or synthetic resins to dry by solvent evaporation without chemical reaction and to provide a solid, protective film, which are intended exclusively for application by brush, and which are labeled as specified in Rule 424, subsection E.6. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**CLEAR COATING:** any Coating that contains no pigments and is labeled and formulated for application over a color Coating or clear Coating.

**CLEAR WOOD COATINGS:** clear and semi-transparent Coatings, including Lacquers and Varnishes, applied to Wood Substrates, to provide a transparent or translucent solid film. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**COATING:** a material applied onto or impregnated into a substrate for protective, decorative, or functional purposes. Such materials include, but are not limited to paints, Varnishes, sealers, and Stains. For purposes of Rule 427, Coating shall mean a material which is applied to a surface and forms a film in order to beautify, preserve, repair, or protect such a surface.

**CODE OF FEDERAL REGULATIONS (CFR):** the United States document codifying federal regulations.

**COLD CLEANER:** any batch loaded, non-boiling Organic Solvent Degreaser.

**COLORANT:** a concentrated pigment dispersion in water, Solvent, and/or binder that is added to an Architectural Coating after packaging in sale units to produce the desired color.

**COLOR COATING:** any pigmented Coating, excluding Adhesion Promoters, primers, and

Multi-Color Coatings, that requires a subsequent Clear Coating and which is applied over a Primer, Adhesion Promoter, or Color Coating. Color Coatings include metallic/iridescent Color Coatings.

COLOR MATCH: the ability of a repair Coating to blend into an existing Coating so that color difference is not visibly detectable.

COMBUSTIBLE REFUSE: any solid or liquid combustible waste material containing carbon in a free or combined state.

COMBUSTION CONTAMINANT: solid or liquid particles discharged into the Atmosphere from the burning of any kind of material containing carbon in a free or combined state.

COMPLETE APPLICATION: completeness of an application for an Authority to Construct a new or modified Emissions Unit shall be evaluated on the basis of a list of required information which has been adopted by the District.

CONCRETE CURING COMPOUND: a Coating labeled and formulated for application to freshly poured concrete to perform one or more of the following functions:

1. retard the evaporation of water; or
2. harden or dustproof the surface of freshly poured concrete.

CONCRETE/MASONRY SEALER: a clear or opaque Coating that is labeled and formulated primarily for application to concrete and masonry surfaces to perform one or more of the following functions:

1. prevent penetration of water; or
2. provide resistance against abrasion, alkalis, acids, mildew, staining, or ultraviolet light; or
3. harden or dustproof the surface of aged or cured concrete

CONDENSER EQUIPMENT: any Equipment, such as refrigerated or non-refrigerated freeboard chillers, condenser coils, or water jackets, used to condense Organic Solvent vapor in a vapor Degreaser.

CONDENSER FLOW SWITCH: safety switch which shuts off pump heat if condenser water fails to circulate or if condenser water temperature rises above designated operating temperature.

CONFINED ANIMAL FACILITY (CAF): a Source or group of Sources of air pollution at an Agricultural Source for the raising of fowl or animals, including but not limited to, any structure, building, installation, farm, corral, coop, feed storage area, milking parlor, or

system for the collection, storage, or distribution of solid and liquid manure; if domesticated animals, including but not limited to, cattle, calves, horses, sheep, goats, swine, rabbits, chickens, turkeys, or ducks corralled, penned, or otherwise caused to remain in restricted areas for commercial agricultural purposes and feeding is by means other than grazing.

**CONSTRUCTION:** any physical change or change in the method of operation (including fabrication, erection, installation, demolition, or Modification of an Emissions Unit) which would result in a change in emissions.

**CONTAMINATED SOIL:** for purposes of Rule 412, soil which indicates 50ppm by volume, or greater of ROC (measured as hexane) at a distance of three inches above the surface with a ROC analyzer.

**CONTIGUOUS PROPERTY:** two or more Parcels of land with a common boundary or separated solely by a public or private roadway or other public right-of-way.

**CONTROL DEVICE:** any device for reducing emissions into the Atmosphere.

**CONTROL EFFICIENCY:** the percentage of emissions removed by an existing emission Control Device or estimated to be removed by a proposed emission Control Device. The estimated control efficiency of the proposed air pollution control technology which will be incorporated, by means of Enforceable permit condition(s), in the Authority to Construct and Permit to Operate. Emission reductions attributed to lowering throughput rates or operating reductions attributed to lowering throughput rates or operating hours shall not be considered in determining Control Efficiency.

**CONTROL EQUIPMENT:** air pollution Control Equipment that eliminates, reduces or controls the issuance of air emissions.

**CONVEYORIZED DEGREASER:** any continuously loaded, conveyORIZED Organic Solvent Degreaser, either boiling or non-boiling.

**COOLING TOWERS:** open water re-circulating devices that use fans or natural draft to draw or force air through the device to cool water by evaporation and direct contact. This includes, but is not limited to, evaporative condensers, quench or cooling towers used for heating ventilation air conditioning (HVAC) and/or industrial cooling processes.

**CREMATORIES AND PATHOLOGICAL INCINERATORS:** for the purposes of Rule 302, Schedule 10, Crematories and Pathological Incinerators are any Furnace or similar enclosed fire chamber burning human or animal tissue or cremating human or animal remains.

**CUTBACK ASPHALT:** paving grade Asphalts liquefied with petroleum distillate and as further defined by American Society for Testing and Materials (ASTM) specifications as follows:

Rapid Cure Type: ASTM D2028-76  
Medium Cure Type: ASTM D2027-76

**DAILY EMISSIONS LIMIT:** one or a combination of permit conditions, specific to an Emissions Unit, which restricts its maximum daily emissions, in pounds per day, at or below the emissions associated with the maximum design capacity. A daily emissions limitation must be:

1. contained in and Enforceable by the latest Authority to Construct or the latest Permit to Operate for the Emissions Unit, and
2. Enforceable on a daily basis, and
3. established pursuant to a permitting action occurring after September 7, 1993.

**DAIRY:** a Confined Animal Facility (CAF) with operations centered around the production of milk, butter, or cheese for commercial purposes.

**DECONTAMINATION:** for purposes of Rule 412, removal of ROC from contaminated soil by aeration, or District approved treatment process.

**DEGREASER:** tank, tray, drum, or other container in which objects to be cleaned are exposed to a liquid or vapor degreasing Organic Solvent

**DISTRICT:** the Imperial County Air Pollution Control District (ICAPCD).

**DRIVEWAY SEALER:** a Coating labeled and formulated for application to worn Asphalt driveway surfaces to perform one or more of the following functions:

1. fill cracks; or
2. seal the surface to provide protection; or
3. restore or preserve the appearance.

**DRY FOG COATING:** a Coating labeled and formulated only for spray application such that overspray droplets dry before subsequent contact with incidental surfaces in the vicinity of the surface Coating activity.

**DUST:** minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, and demolishing.

**ELECTROSTATIC APPLICATION:** a sufficient charging of atomized paint droplets to cause deposition, principally by electrostatic attraction.

**ELECTROSTATIC DISCHARGE COATING:** electrically conductive Coating which prevents the build-up of static charge on the surface of an Aerospace Component. Applications include, but are not limited to, composites, space vehicles, missiles, and helicopter blades.

**ELECTROSTATIC SPRAY APPLICATION:** any method of spray application of Coatings where an electrostatic attraction is created between the part to be coated and the paint particles.

**EMERGENCY STANDBY TANK:** a standby tank used in an emergency to store organic liquids during the draining of the primary tank or for use when the operator is granted breakdown relief.

**EMISSION CONTROL SYSTEM:** for the purpose of Rule 427, means any combination of capture systems and Control Devices used to reduce VOC emissions from an Automotive Refinishing Operation.

**EMISSION REDUCTION CREDITS (ERCs):** reductions of Actual Emissions from an Emissions Unit that are registered with the District in accordance with the requirements of Rule 214.

**EMISSIONS INCREASE:** for the purpose of Rule 207, means any increase in a Stationary Source or an Emissions Unit's Potential to Emit. For determining if a Project will result in a new Major Stationary Source or a Major Modification and the amount of offsets required for such projects, an emission increase means the difference between a Stationary Source or an Emissions Unit's Potential to Emit and its Historic Actual Emissions.

**EMISSIONS UNIT:** an identifiable operation or piece of process Equipment, such as an article, machine, or other contrivance, which emits, has the Potential to Emit, or results in the emissions of any air pollutant directly or as Fugitive Emissions.

**EMULSIFIED ASPHALT:** any Asphalt liquefied with water containing an emulsifier, either anionic or cationic.

**ENCLOSED GUN CLEANER:** a device that is used for the cleaning of spray guns that is not open to the ambient air when in use and has a mechanism to force the cleanup material through the gun while the cleaner is in operation.

**ENFORCEABLE:** means certain actions, which are assured by verifiable and legally binding conditions in an Authority to Construct and/or Permit to Operate.

**EQUIPMENT:** includes any article, machine, or contrivance that emits, has the Potential to Emit, or reduces emissions of any air pollutant emitted directly or as Fugitive Emissions.

**ERC:** see Emission Reduction Credits

ERC CERTIFICATE: a document identifying the quantity and type of ERCs issued by the District to the individual(s) or Source(s) identified on the certificate.

ESSENTIAL PUBLIC SERVICES: the following Sources shall be considered Essential Public Services:

1. sewage treatment operations which are publicly owned and operated consistent with the approved General Plan; or
2. prison, jail, correctional facility; or
3. police or fire fighting facility; or
4. school or hospital; or
5. landfill gas control or processing system which is publicly owned and operated; or
6. water delivery operations which are publicly owned and operated consistent with the approved General Plan; or
7. cleanup operations to remove contaminants from soil or water, mandated by the Regional Water Quality Control Board, California Department of Health Services, Environmental Protection Agency or any other State or Federal law.

EXCAVATION: for purposes of Rule 412, removal of contaminated soil for the purpose of decontamination. Excavated soil may have become contaminated by leaking underground or above ground tank, loading rack, spillage, pipeline leak, accidental spill, or any other Source.

EXEMPT COMPOUND: a compound identified as exempt under the definition of Volatile Organic Compound (VOC). Exempt compound content of a Coating shall be determined by US EPA Method 24 or South Coast Air Quality Management District (SCAQMD) Method 303-91 (Revised 1993), incorporated by reference in Rule 424, subsection G.5.j

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EXTREME PERFORMANCE COATING: Coating that encounters acute or chronic exposure to salt water, corrosives, caustics, acids, oxidizing agents, wind- or ocean-driven debris, or electromagnetic pulses.

FAUX FINISHING COATING: a Coating labeled and formulated to meet one or more of the following criteria:

1. a glaze or textured Coating used to create artistic effects, including, but not limited to: dirt, suede, old age, smoke damage, and simulated marble and wood grain; or
2. a decorative Coating used to create a metallic, iridescent, or pearlescent

appearance that contains at least 48 grams of pearlescent mica pigment or other iridescent pigment per liter of Coating as applied (at least 0.4 pounds per gallon); or

3. a decorative Coating used to create a metallic appearance that contains less than 48 grams of elemental metallic pigment per liter of Coating as applied (less than 0.4 pounds per gallon), when tested in accordance with South Coast Air Quality Management District (SCAQMD) method 318-95, incorporated by reference in Rule 424, subsection G.5.d; or
4. a decorative Coating used to create a metallic appearance that contains greater than 48 grams of elemental metallic pigment per liter of Coating as applied (greater than 0.4 pounds per gallon) and which requires a clear topcoat to prevent the degradation of the finish under normal use conditions. The metallic pigment content shall be determined in accordance with SCAQMD method 318-95, incorporated by reference in Rule 424, subsection G.5.d; or
5. a clear topcoat to seal and protect a Faux Finishing Coating that meets the requirements of subsections 1 thru 4 of this definition. These clear topcoats must be sold and used solely as part of a Faux Finishing Coating system, and must be labeled in accordance with Rule 424, subsection E.4.

**FEDERAL CLEAN AIR ACT:** the Federal Clean Air Act (CAA) as amended in 1990 (42 United States Code. section 7401 et seq.) and its implementing regulations.

**FEDERAL LAND MANAGER:** the Secretary of the Department with authority over the specified federal lands.

**FINISH:** the Coating of incomplete vehicles, their parts and components, or Mobile Equipment for which the original Coating was not applied from an original Equipment manufacturer (OEM) plant Coating assembly line.

**FIRE RESISTIVE COATING:** a Coating labeled and formulated to protect structural integrity by increasing the fire endurance of interior or exterior steel and other structural materials. The fire resistive category includes sprayed fire resistive materials and intumescent Fire Resistive Coatings that are used to bring structural materials into compliance with federal, state, and local building code requirements. Fire Resistive Coatings shall be tested in accordance with ASTM E119-07, incorporated by reference in Rule 424, subsection G.5.b. Fire Resistive Coatings and testing agencies must be approved by building code officials.

**FIRE RETARDANT COATING:** a Coating labeled and formulated to retard ignition and flame spread, that has been fire tested and rated by a testing agency approved by building code officials for use in bringing building and construction materials into compliance with federal, state and local building code requirements. The Fire Retardant Coating and the testing agency must be approved by building code officials. The Fire Retardant Coating

shall be tested in accordance with ASTM E84-07, incorporated by reference in Rule 424, subsection G.5.a.

Effective January 1, 2011, the Fire Retardant Coating category is eliminated and Coatings with fire retardant properties will be subject to the VOC limit of their primary category (e.g., Flat, Nonflat, etc.).

**FIXED COVER:** any cover made out of metal(s), polymer(s) or other material, and installed in a permanent position over the liquid.

**FLAT COATING:** a Coating that is not defined under any other definition in this rule and that registers gloss less than 15 on an 85-degree meter or less than 5 on a 60-degree meter according to ASTM D 523-89 (1999), incorporated by reference in Rule 424, subsection G.5.c .

**FLEET VEHICLE:** one of a group of ten (10) or more Motor Vehicles under common ownership or control and dispatched from a location within Imperial County.

**FLIGHT TEST COATINGS:** a temporary Coating applied to test aircraft to protect from corrosion and to provide required markings during flight test evaluation.

**FLOATING COVER:** any cover made out of metal(s), polymer(s) or other material, which is in contact with a liquid surface at all times.

**FLOOR COATING:** an opaque Coating that is labeled and formulated for application to flooring, including, but not limited to, decks, porches steps, garage floors, and other horizontal surfaces which may be subject to foot traffic.

**FLOW COATING:** a Coating labeled and formulated exclusively for use by electric power companies or their subcontractors to maintain the protective Coating systems present on utility transformer units. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**FLUORIDES:** elemental fluorine and all fluoride compounds.

**FORM RELEASE COMPOUND:** a Coating labeled and formulated for application to a concrete form to prevent the freshly poured concrete from bonding to the form. The form may consist of wood, metal, or some material other than concrete.

**FREEBOARD HEIGHT:**

1. for a Cold Cleaning Degreaser, distance from the top of the Organic Solvent, or the Organic Solvent drain to the top of the Degreaser, based on the inside tank dimensions.



2. for a Remote Reservoir Degreaser, the distance from the Organic Solvent drain to the top of the Degreaser, based on the inside dimensions.
3. for a vapor Degreaser, the distance from the Organic Solvent air-vapor interface to the top of the basic Degreaser tank, based on the inside tank dimensions.

**FREEBOARD RATIO:** freeboard height divided by the smaller of the length or width of the Degreaser.

**FROST PROTECTION:** the protection of agricultural crops against damage from frost or cold weather.

**FUEL BURNING EQUIPMENT:** the minimum number of boilers, furnaces, jet engines or other Fuel Burning Equipment, the simultaneous operations of which are required for the production of useful heat or power. Equipment, which burns fuel and serves primarily as air pollution control Equipment by using a combustion process to destroy air contaminants shall not be considered "Fuel Burning Equipment."

**FUEL CHANGE:** means the transitory operating period when a switch occurs between liquid or gaseous fuels, or any combination thereof.

**FUEL TANK COATING:** a Coating applied to the interior of a fuel tank of an aircraft or space vehicle to protect it from corrosion.

**FUGITIVE EMISSIONS:** those emissions which cannot reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

**FUMES:** small particles resulting from chemical reaction or from the condensation of vapors produced in combustion, distillation or sublimation, or other above ambient temperature process.

**FURNACE:** means any enclosed structure in which heat is produced by the combustion of any fuel.

**GASEOUS FUEL:** means natural gas, digester gas, landfill gas, methane, ethane, propane, butane, or any gas stored as a liquid at high pressure such as liquefied petroleum gas.

**GASOLINE:** any petroleum distillate having a Reid Vapor pressure of 4.0 pounds or greater.

**GASOLINE BULK PLANT:** an intermediate gasoline loading facility where delivery to the facility's storage containers and delivery from the facility is by truck.

**GASOLINE DELIVERY VESSEL:** a truck, trailer, or railroad car with a storage device containing Gasoline, or Gasoline Vapors, used to transport fuel or other petroleum

products.

**GASOLINE TERMINAL:** a gasoline loading facility where delivery to the facility's storage containers is by means other than truck.

**GASOLINE THROUGHPUT:** for the purposes of Rule 415, means the volume of gasoline dispensed at a gasoline dispensing facility.

**GASOLINE VAPORS:** the Reactive Organic Compounds in the displaced vapors, including any entrained liquid gasoline.

**GRAPHIC ARTS COATING OR SIGN PAINT:** a Coating labeled and formulated for hand-application by artists using brush, airbrush, or roller techniques to indoor and outdoor signs (excluding structural components) and murals including lettering enamels, poster colors, copy blockers, and bulletin enamels.

**GRAPHIC ARTS OPERATION:** the application of logos, letters, numbers, or graphic to a painted surface by brush, roller, or airbrush.

**GRAPHIC DESIGN APPLICATION:** the application of logos, letters, numbers, and graphics to a painted surface, with or without the use of a template.

**GRAZING LAND:** open range or fenced fields where animals feed on crops or grasses which grow naturally or are planted.

**GROUP I VEHICLES:** public transit buses and mobile Equipment.

**GROUP II VEHICLES:** passenger cars, large/heavy duty truck cabs and chassis, light and medium duty trucks and vans, and motorcycles.

**HALOGENATED HYDROCARBONS:** all Halogenated Hydrocarbons listed as exempt under the definition of Volatile Organic Compounds.

**HAND APPLICATION METHODS:** the application of Coatings by nonmechanical hand-held Equipment including but not limited to paint brushes, hand rollers, caulking guns, trowels, spatulas, syringe daubers, rags, and sponges.

**HEALTH AND SAFETY CODE (H&SC):** "Health and Safety Code" refers to the California Health and Safety Code.

**HEARING BOARD:** the Hearing Board of the Air Pollution Control District of Imperial County.

**HEAT INPUT:** means the heat derived from the combustion of a fuel in a unit, calculated using the higher heating value, excluding the heat input from preheated combustion air, re-circulated flue gases, or exhaust gases from other Sources, including but not limited

to, Stationary Gas Turbines, Internal Combustion Engines and Kilns.

**HEAT INPUT RATING:** means the maximum steady state heat input capacity of a unit, in BTU per hour, as specified by the manufacturer, or as limited by an Authority to Construct or a Permit to Operate.

**HEAVY DUTY ENGINE:** an engine which is used to propel a Heavy Duty Vehicle.

**HEAVY DUTY VEHICLE:** any Motor Vehicle having a manufacturer's gross vehicle weight rating greater than 6,000 pounds, except passenger cars (Title 13, California Code of Regulations, Section 1900 [13 CCR. 1900].)

**HEXAVALENT CHROMIUM-CONTAINING WATER TREATMENT CHEMICALS:** water treatment Additives which contain Hexavalent Chromium (Chrome VI), alone or in combination with other water treatment chemicals.

**HIGH TEMPERATURE COATING:** a high performance Coating labeled and formulated for application to substrates exposed continuously or intermittently to temperatures above 240°C (400° F).

**HIGH TEMPERATURE RESISTANT, THERMAL FLASH RESISTANT, RAIN EROSION RESISTANT COATING:** for the purposes of Rule 425, means a fluoroelastomeric Coating that is designed specifically to protect aerospace vehicles from thermonuclear flash, erosion from airborne particles such as rain, ice, sand, etc., and temperatures above 450 degrees Fahrenheit resulting from aerodynamic heating.

**HIGH VOLATILITY SOLVENT:** any Organic Solvent that is not a low volatility Solvent.

**HIGH-VOLUME, LOW-PRESSURE (HVLP):** spray Equipment permanently labeled as such and which is designed and operated between 0.1 and 10 pounds per square inch, gauge, (psig) air atomizing pressure measured dynamically at the center of the air cap and at the air horns.

**HIGHER HEATING VALUE:** means the total heat liberated, including the heat of condensation of water, per mass of fuel burned (BTU per pound) when fuel and dry air at standard conditions undergo complete combustion and all resultant products are brought to standard conditions.

**HISTORIC ACTUAL EMISSIONS:** Actual Emissions from an existing Emissions Unit averaged over a 24 month period immediately preceding the date of application. The APCO may approve another 24 month period within the last 60 months, if the APCO determines that the other period is more representative of normal operations. Where an Emissions Unit has been in operation for less than 24 months a shorter averaging period of at least 12 months may be used providing it represents the full operational history of the Emission Unit. The Historic Actual Emissions from Emission Units which have been in operation for less than 12 months shall be equal to zero. Historic Actual Emissions are

to be calculated in pounds per quarter for each calendar quarter. Historic Actual Emissions in quarters 2 or 3 may be lowered by transferring these emissions to quarters 1 or 4, provided that the resulting emissions in quarters 1 or 4 are no higher than the higher of quarters 2 or 3.

**HISTORIC EMISSIONS:** the Potential to Emit of an existing Emissions Unit prior to Modification. For a new Emissions Unit Historic Emissions are equal to zero.

**HYDROCARBON VAPORS:** the Reactive Organic Compounds in the vapors, including any entrained organic liquid.

**IDENTICAL REPLACEMENT UNIT:** a replacement Emissions Unit which is the same as the original unit in all respects except for the serial number.

**IMPERVIOUS BARRIER:** for purposes of Rule 412, physical covering for contaminated soil which controls ROC emissions to the extent a ROC analyzer detects less than 50ppm by volume ROC (measured as hexane) at a distance of three inches above the surface.

**IMPLEMENTS OF HUSBANDRY:** is a vehicle which is used exclusively in the conduct of agricultural operations. An Implement of Husbandry does not include a vehicle if its existing design is primarily for the transportation of persons or property in a highway.

**INCINERATOR:** any Furnace or similar enclosed fire chamber, with or without a draft control, used for burning refuse or other waste material and where the products of combustion are channeled through a flue.

**INDUSTRIAL MAINTENANCE COATING:** a high performance Architectural Coating, including Primers, Sealers, Undercoaters, intermediate coats, and topcoats formulated for application to substrates, including floors, exposed to one or more of the following extreme environmental conditions listed below and labeled as specified in Rule 424, subsection E.5 .

1. immersion in water, wastewater or chemical solutions (aqueous and non-aqueous solutions), or chronic exposure of interior surfaces to moisture condensation; or
2. acute or chronic exposure to corrosive, caustic or acidic agents, or to chemicals, chemical fumes, chemical mixtures or solutions; or
3. frequent exposure to temperatures in excess of 250°F (121°C); or
4. frequent heavy abrasion, including mechanical wear and frequent scrubbing with industrial Solvents, cleansers or scouring agents; or
5. exterior exposure of metal structures and structural components.

**INTERNAL COMBUSTION ENGINE:** any spark or compression ignited reciprocating

Internal Combustion Engine that is attached to a foundation at a location, or is portable and operated at a location for more than 90 days in any consecutive twelve month period, excluding engines used for self propulsion of a vehicle.

KILN: means an oven, Furnace, or heated enclosure used for processing a substance by burning, firing, or drying.

LACQUER: a clear or opaque wood Coating, including clear lacquer Sanding Sealers, formulated with cellulosic or synthetic resins to dry by evaporation without chemical reaction and to provide a solid, protective film. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

LARGE CONFINED ANIMAL FACILITY (LCAF): any Confined Animal Facility that maintains on any one day: 500 or more milk-producing dairy cows; or 3,500 or more beef cattle, calves, heifers, or other cattle; or 100,000 or more turkeys; or 400,000 or more chickens other than laying hens; or 400,000 or more laying hens; or 3,000 or more swine; or 15,000 or more sheep, lambs, or goats; or 2,500 or more horses; or 400,000 or more ducks; or 30,000 or more rabbits or other animals.

LARGE/HEAVY DUTY TRUCKS: any truck having a manufacturer's gross vehicle weight rating of over 10,000 pounds.

LEAK OF REACTIVE ORGANIC COMPOUNDS: an emission of a liquid containing Reactive Organic Compounds at a rate of more than 3 drops per minute, as a continuous stream, or as a visible mist; or an emission of a gas containing Reactive Organic Compounds which causes an appropriate analyzer sampling 1 centimeter from a Source to register at least 10,000ppm as methane as determined by US EPA Reference Method 21.

LEAK-FREE: for the purposes of Rule 415, means a liquid leak of no more than three drops per minute excluding losses which occur upon disconnecting transfer fittings. Provided such disconnect losses do not exceed 10 milliliters (0.34 fluid ounces) per disconnect, averaged over three disconnects.

LEAN-BURN ENGINE: any spark or compression ignited Internal Combustion Engine that is operated with an exhaust gas stream oxygen concentration of four percent (4%) by volume, or greater. The exhaust gas oxygen content shall be determined from the uncontrolled exhaust gas stream.

LIGHT DUTY TRUCK: any Motor Vehicle, rated at 6,000 pounds gross vehicle weight or less, which is designed primarily for purposes of transportation of property or is a derivative of such a vehicle, or is available with special features enabling off-street or off-highway operation and use (13 CCR 1900.)

**LIQUID FUEL:** means any fuel which is a liquid at standard conditions including but not limited to distillate oils, kerosene and jet fuel. Liquefied gaseous fuels are not liquid fuels.

**LOADING FACILITY:** any aggregation or combination of gasoline loading Equipment which is both (1) possessed by one person, and (2) located so that all the gasoline loading outlets for such aggregation or combination of loading Equipment can be encompassed within any circle of 300 feet in diameter.

**LOW EMISSION VEHICLE:** any vehicle certified by the California Air Resources Board (CARB) to the transitional, low, ultra-low, or zero emission vehicle standards established in 13 CCR 1960.1

**LOW SOLIDS COATING:** a Coating containing 0.12 kilogram or less of solids per liter (1 pound or less of solids per gallon) of Coating material as recommended for application by the manufacturer. The VOC content for Low Solids Coatings shall be calculated in accordance with the definition of VOC Actual.

**LOW VOLATILITY SOLVENT:** any Organic Solvent, including emulsions containing no more than 2% Reactive Organic Compounds (ROC) by weight as determined by US EPA test method 24.

**LOWEST ACHIEVABLE EMISSION RATE (LAER):** for any Stationary Source or Modification the more stringent of:

1. the most stringent emissions limitation which is contained in the implementation plan of any state for such class or category of Stationary Source, unless the Owner or Operator of the proposed Stationary Source demonstrates that such limitations are not achievable; or
2. the most effective emissions control technique which has been achieved in practice, for such class or category of Source as determined by the APCO; or
3. the emission limitation specified for such class or category of Source under applicable federal New Source Performance Standards pursuant to Section 111 of the Clean Air Act; or
4. any other emissions control technique found after public hearing, by the APCO or the California Air Resources Board to be technologically feasible and cost effective for such class or category of Sources or for a specific Source.

**MAGNESITE CEMENT COATING:** a Coating labeled and formulated for application to Magnesite Cement decking to protect the Magnesite Cement substrate from erosion by water.

**MAJOR MODIFICATION:** a Modification to a Major Stationary Source which results in a Significant Emissions Increase and a Significant Net Emissions Increase of the pollutant

for which the Stationary Source is classified as a Major Stationary Source.

**MAJOR PROJECT:** for the purpose of Rule 206 and 301 means a Project which will emit pollutants under any of the following conditions: 250 or more lbs/day controlled for any single pollutant; 100 or more tons/yr uncontrolled for any single pollutant; 250 or more tons/yr uncontrolled for all emissions combined.

**MAJOR STATIONARY SOURCE:** means a Stationary Source which emits, or has the Potential to Emit 100 tons per year (tpy) or more of Volatile Organic Compounds or Oxides of Nitrogen, or 70 tpy or more of PM<sub>10</sub>, or a PM<sub>10</sub> Precursor or 100 tpy or more of PM<sub>2.5</sub> or a PM<sub>2.5</sub> Precursor. In addition, any physical change occurring at a Stationary Source which is not already a Major Stationary Source, and which Modification would constitute a Major Stationary Source by itself, makes the Source a Major Stationary Source. For PM<sub>2.5</sub> and PM<sub>2.5</sub> precursors, this definition applies only to Stationary Sources located in the PM<sub>2.5</sub> Nonattainment Area of Imperial County.

**MAKE-UP SOLVENT:** Organic Solvent added to a Degreaser to replace Organic Solvent lost through evaporation, carry-out, splashing, leakage, or disposal.

**MANUFACTURER'S MAXIMUM THINNING RECOMMENDATION:** the maximum recommendation for thinning that is indicated on the label or lid of the Coating container.

**MANURE:** the accumulated animal excrement in or around a livestock feed yard that does not undergo decomposition as would occur on open grazing land or natural habitat. This definition includes feces or urine which may be mixed with bedding materials, with spilled feed or with soil.

**MASKANT:** a Coating applied directly to a metal part or other surface to protect surface areas during chemical milling, anodizing, aging, bonding, plating, etching, or other chemical surface operations.

**MASTIC TEXTURE COATING:** a Coating labeled and formulated to cover holes and minor cracks and to conceal surface irregularities, and is applied in a single coat of at least 10 mils (0.010 inch) dry film thickness.

**MEDIUM DENSITY FIBERBOARD (MDF):** a composite wood product, panel, molding, or other building material composed of cellulosic fibers (usually wood) made by dry forming and pressing of a resinated fiber mat.

**MEDIUM DUTY VEHICLE:** any pre-1995 model year Heavy-Duty Vehicle having a manufacturer's gross vehicle weight rating of 8,500 pounds or less; any 1992 through 2006 model-year heavy-duty low-emission, ultra-low-emission, super-ultra-low-emission or zero-emission vehicle certified to the standards in section 1960.1(h)(2) of the California Code of Regulations (CCR) having a manufacturer's gross vehicle weight rating of 14,000 pounds or less; any 1995 through 2003 model-year heavy-duty vehicle certified to the

standards in section 1960.1(h)(1) of the CCR having a manufacturer's gross vehicle weight rating of 14,000 pounds or less; and any 2000 and subsequent model heavy-duty low-emission, ultra-low-emission, super-ultra-low-emission or zero-emission vehicle certified to the standards in Section 1961(a)(1), 1962, or 1962.1 having a manufacturer's gross vehicle weight rating between 8,501 and 14,000 pounds. (California Code of Regulations Title 13, Division 3, Chapter 1, Article 1, §1900)

**METALLIC/IRIDESCENT COLOR COATING:** any Coating that contains more than 0.042 pounds per gallon (5 grams per liter) of metal or iridescent particles as applied, where such particles are visible in the dried film.

**METALLIC PIGMENTED COATING:** a Coating that is labeled and formulated to provide a metallic appearance. Metallic Pigmented Coatings must contain at least 48 grams of elemental metallic pigment (excluding zinc) per liter of Coating as applied (at least 0.4 pounds per gallon), when tested in accordance with SCAQMD Method 318-95, incorporated by reference in Rule 424, subsection G.5.d. The Metallic Pigmented Coating category does not include Coatings applied to roofs or Zinc-Rich Primers.

**MILITARY BASE:** means a Military Base that is designated for closure or downward realignment pursuant to the Defense Base Closure and Realignment Act of 1988 (P.L. 100-526) or the Defense Base Closure and Realignment Act of 1990 (10 United States Code Sec. 2687 et seq.).

**MINOR PROJECT:** for the purpose of Rules 206 and 301, a Project for which uncontrolled emissions will not exceed 35 lbs/day of any pollutant, and for which there will be no emission of pollutants which are toxic Air Contaminants or for which the District has been designated nonattainment.

**MOBILE EQUIPMENT:** for the purposes of Rule 427 is any device that may be drawn and/or driven on rails or a roadway including, but not limited to, trains, railcars, truck trailers, mobile cranes, bulldozers, street cleaners, and Implements of Husbandry for agriculture.

**MOBILE SOURCE EMISSION REDUCTION CREDIT (MSERC):** Actual Emission Reductions which have been recognized by the District as being banked and registered with a MSERC certificate issued in accordance with the requirements of Rule 214.1.

**MOBILE TRANSPORT TANK:** any tank truck or trailer, railroad tank car, or tanker used to transport reactive organic liquids.

**MODELING:** use of an air quality simulation model, based on specified assumptions and data, which has been approved in writing by the executive officer of the California Air Resources Board.

**MODIFICATION:** any physical change, change in method of operation of, or addition to, an existing Emissions Unit, or any change in hours of operation or production rate which



would necessitate a change in permit conditions.

Unless previously limited by a permit condition, the following shall not be considered a Modification:

1. change in ownership of an existing Stationary Source with valid Permit(s) to Operate.
2. routine maintenance or repair.
3. an Identical Replacement Unit, if the Modification does not result in a Major Modification.

A Modification of an Emissions Unit also occurs when there is an increase in emissions from such a unit caused by a Modification of the Stationary Source and the Emissions Unit is not subject to a Daily Emissions Limit.

A Modification to a Stationary Source shall include any Modification of its permitted Emissions Unit(s) or the addition of any new Emissions Unit(s).

A Reconstructed Stationary Source shall be treated as a new Stationary Source and not as a Modification.

**MOTOR VEHICLE:** any self-propelled vehicle, but not limited to, cars, trucks, buses, golf carts, vans, motorcycles, tanks, and armored personnel carriers.

**MOBILE SOURCE EMISSION REDUCTION CREDIT (MSERC) PROGRAM:** as recognized by the California Air Resources Board, any activity undertaken by a Person which produces actual Mobile Source Emission Reductions within Imperial County for purposes of establishing ERC's pursuant to Rules 214 and 214.1. A program can be a onetime action, a series of one time actions or a continuous set of actions.

**MOBILE SOURCE EMISSION REDUCTION CREDIT (MSERC) REGISTRY:** a tracking maintained by the District which records all MSERC deposits, withdrawals, transfers and transactions as required by Rule 214.1.

**MULTI-COLOR COATING:** a Coating that is packaged in a single container and that is labeled and formulated to exhibit more than one color when applied in a single coat. For purposes of Rule 427, means any Coating that exhibits more than one color in the dried film after a single application, is packaged in a single container, and hides surface defects on areas of heavy use, and which is applied over a Primer or Adhesion Promoter.

**MULTIPLE-CHAMBER INCINERATOR:** any article, machine, Equipment, contrivance, structure or any part of a structure used to dispose of combustible refuse by burning, consisting of three or more refractory walls, interconnected by gas passage ports or ducts, and employing adequate design parameters necessary for maximum combustion of the material to be burned.

**NO-BURN DAY:** any day on which Agricultural Burning is prohibited by the California Air Resources Board or by the District.

**NO-BURN LIST:** a list of fields for which ERC's have been applied and on which burning will not be allowed.

**NONATTAINMENT AREA:** an area designated by a state or federal agency as exceeding a state or National Ambient Air Quality Standard.

**NONATTAINMENT POLLUTANT:** any pollutant or Precursor which has been designated "nonattainment" by the US EPA as codified in 40 CFR Section 81.305, or that has been designated "nonattainment" by the CARB pursuant to H&SC Section 39607.

**NONFLAT COATING:** a Coating that is not defined under any other definition in this Rule and that registers a gloss of 15 or greater on an 85-degree meter and 5 or greater on a 60-degree meter according to ASTM D523-89 (1999), incorporated by reference in Rule 424, subsection G.5.c .

**NONFLAT-HIGH GLOSS COATING:** a Nonflat Coating that registers a gloss of 70 or greater on a 60-degree meter according to ASTM D523-89 (1999), incorporated by reference in Rule 424, subsection G.5.c. Nonflat-High Gloss Coatings must be labeled in accordance with Rule 424, subsection E.12.

**NON-PERMITTED EMISSIONS:** for the purpose of Rule 214, Non-Permitted Emissions are emissions which are not governed under a District permit.

**OFFSET:** the use of an emission decrease to compensate for an Emission Increase from a new or modified Stationary Source subject to the requirements of Rule 207.

**OFFSET FILL LINE:** any liquid fill line which contains one or more pipe bends, and the horizontal distance between the truck delivery connection and the storage container fill opening is 6.1 meters (20 feet) or greater.

**OIL-EFFLUENT WATER SEPARATOR:** any device or piece of Equipment used to remove petroleum compounds or associated chemicals from effluent water

**OPACITY:** the degree to which emissions reduce the transmission of light and obscure the view of the background.

**OPAQUE STAINS:** all Stains that are not classified as Semi-Transparent Stains.

**OPAQUE WOOD PRESERVATIVES:** all Wood Preservatives not classified as clear or Semi-Transparent Wood Preservatives or as below ground Wood Preservatives.

**OPEN BURNING IN AGRICULTURAL OPERATIONS IN THE GROWING OF CROPS**

**OR RAISING OF FOWLS OR ANIMALS:**

1. the burning in the open of materials produced wholly from operations in the growing and harvesting of crops or raising of fowls or animals for the primary purpose of making a profit, providing a livelihood, or of conducting agricultural research or instruction by an educational institution; and
2. the burning of grass and weeds in or adjacent to fields in cultivation or being prepared for cultivation in connection with operations qualifying under 1 above; and
3. the burning of materials not produced wholly from such operations, but which are intimately related to the growing or harvesting of crops and which are used in the fields, except as prohibited by District regulations. Examples are trays for drying raisins, date palm protection paper, and fertilizer and pesticide sacks or combustible containers, where the sacks or combustible containers are emptied in the field, or other reasonable nearby location under the direct control of the farm operator. This does not include products made from rubber.

**OPEN OUTDOOR FIRE:** the complete or partial burning or smoldering of any combustible refuse or other material of any type, directly exposed to the Atmosphere, whether or not enclosed in a fireproof container, where the products of combustion are not channeled through a flue.

**OPEN-TOP VAPOR DEGREASER:** any batch loaded, boiling Organic Solvent Degreaser.

**ORCHARD OR CITRUS GROVE HEATER:** any article, machine, Equipment, or other contrivance, burning any type of fuel, capable of emitting Air Contaminants, used or capable of being used for the purpose of giving protection from frost damage. Contrivances commonly known as wind machines are not included.

**ORGANIC CONTENT:** for purposes of Rule 412, degree of contamination used to limit daily rate contaminated soil may be added to an active soil aeration pile.

**ORGANIC MATERIALS:** chemical compounds of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbonates and ammonium carbonate.

**ORGANIC SOLVENTS:** includes diluents and thinners and are defined as organic materials which are liquids at standard conditions and which are used as dissolvers, viscosity reducers, or cleaning agents.

**OTHER CATTLE FACILITY:** a Confined Animal Facility (CAF) housing cattle which does not meet the definition of a Beef Feedlot or Dairy.

**OWNER OR OPERATOR:** includes, but is not limited to, any Person who owns, leases, supervises or operates Equipment.

**PARCEL:** a legally subdivided piece of land or combined lands under common ownership.

**PARTICLEBOARD:** a composite wood product panel, molding, or other building material composed of cellulosic material (usually wood) in the form of discrete particles, as distinguished from fibers, flakes, or strands, which are pressed together with resin.

**PARTICULATE MATTER:** any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions. Dust shall also be considered as Particulate Matter.

**PARTICULATE MATTER (PM<sub>10</sub>):** Particulate Matter with an aerodynamic diameter equal to or less than 10 micrometers. Gaseous emissions which condense to form Particulate Matter at ambient temperatures shall be included.

**PARTICULATE MATTER (PM<sub>2.5</sub>):** Particulate Matter with an aerodynamic diameter equal to or less than 2.5 micrometers. Gaseous emissions which condense to form Particulate Matter at ambient temperatures shall be included.

**PASSENGER CAR:** “any motor vehicle designed primarily for transportation of persons and having a design capacity of twelve persons or less” (California Code of Regulations Title 13, Division 3, Chapter 1, Article 1, §1900)

**PEARLESCENT:** exhibiting various colors depending on the angles of illumination and viewing, as observed in mother-of-pearl.

**PERMANENT:** the actual emission reductions that continue or endure for the duration of any Project utilizing the resulting ERC's as Offsets.

**PERMISSIVE-BURN DAY:** any day on which Agricultural Burning is not prohibited by the California Air Resources Board or the District.

**PERMIT TO OPERATE:** the written permit issued by the District for the operation of any facility, article, machine, Equipment, Emission Unit or other contrivance.

**PERSON:** any person, firm, association, organization, partnership, business trust, corporation, company, limited liability company, contractor, supplier, installer, user or owner, or any federal, state or local government agency, public district, or any officer or employee thereof.

**PHASE I VAPOR RECOVERY SYSTEM:** a system which recovers the hydrocarbon vapors resulting from the transfer of r Reactive o Organic c Compounds into a Stationary Tank or Mobile Transport Tank.

**PHASE II VAPOR RECOVERY SYSTEM:** a gasoline vapor recovery system that recovers vapors during the fueling of Motor Vehicles from stationary storage tanks.

**PHOTOCHEMICALLY REACTIVE SOLVENT:** any Solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, referred to the total volume of Solvent:

1. a combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cyclo-olefinic type of unsaturation: 5 percent;
2. a combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent;
3. a combination of ethylbenzene, ketones having branched hydrocarbon structures, or toluene: 20 percent.

**PLYWOOD:** a panel product consisting of layers of wood veneers or composite core pressed together with resin. Plywood includes panel products made by either hot or cold pressing (with resin) veneers to a platform.

**PM<sub>2.5</sub> NONATTAINMENT AREA:** that portion of Imperial County which lies within the line described as follows: (San Bernardino Base and Meridian) Beginning at the intersection of the United States-Mexico Border and the southeast corner of T17S R11E, then north along the range line of the eastern edge of range R11E, then east along the township line of the southern edge of T12S to the northeast corner of T13S R15E, then south along the range line common to R15E and R16E, to the United States-Mexico border.

**POST-CONSUMER COATING:** finished Coatings generated by a business or consumer that have served their intended end uses, and are recovered from or otherwise diverted from the waste stream for the purpose of recycling.

**POTENTIAL EMISSIONS:** the sum of the maximum emissions from all Emissions Units at a Stationary Source, based on the maximum design capacity, unless otherwise limited by practically and legally Enforceable conditions contained in the Authority to Construct and/or Permit to Operate, expressed in terms of pounds per quarter. (Pounds per quarter for PM<sub>10</sub>, PM<sub>2.5</sub> and sulfur oxides shall be determined by multiplying the Daily Emission Limit, in pounds per day, by the permitted operating days per quarter.)

**POTENTIAL TO EMIT:** the maximum capacity of an Emissions Unit to emit an Affected Pollutant based on its physical and operational design. Any physical or operational limitation on the capacity of the Emission Unit to emit a pollutant, including air pollution Control Equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is incorporated into the applicable permit as a practically and legally Enforceable permit condition.

**POWER RATING:** means the maximum, continuous power output of a Stationary Gas Turbine(s), in megawatts (MW) or equivalent, as certified by the manufacturer unless limited by a condition in a District Authority to Construct or a Permit to Operate. Power augmentation shall not be included in Power Rating.

**PRECURSOR:** a directly emitted Affected Pollutant that, when released into the Atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which a state or National AAQS has been adopted, or whose presence in the Atmosphere will contribute to the violation of one or more state or National AAQS. The following Precursor secondary pollutant relationships shall be used for the purposes of these regulations:

**PRECURSORS****SECONDARY POLLUTANTS**

Hydrocarbons and substituted hydrocarbons (Volatile Organic Compounds.)

- a) Photochemical Oxidant (Ozone)
- b) The organic fraction of PM<sub>10</sub>.
- c) Organic fraction of PM<sub>2.5</sub>

Nitrogen Oxides (NO<sub>x</sub>)

- a) Nitrogen Dioxide (NO<sub>2</sub>)
- b) The nitrate fraction of PM<sub>10</sub>
- c) Photochemical Oxidant (Ozone)
- d) The nitrate fraction of PM<sub>2.5</sub>

Sulfur Oxides (SO<sub>x</sub>)

- a) Sulfur Dioxide (SO<sub>2</sub>)
- b) Sulfates (SO<sub>4</sub>)
- c) The sulfate fraction of PM<sub>10</sub>
- d) The sulfate fraction of PM<sub>2.5</sub>

Ammonia

- a) The ammonium fraction of PM<sub>2.5</sub>

**PREPREG COMPOSITE MATERIAL:** for the purposes of Rule 425, means, a reinforcing material impregnated with partially polymerized organic resins and ready for application.

**PRESSURE TANK:** a tank which maintains working pressure sufficient at all times to prevent hydrocarbon vapor or gas loss into the Atmosphere.

**PRE-TREATMENT WASH PRIMER:** a Primer that contains a minimum of 0.5 percent acid, by weight, when tested in accordance with ASTM D1613-06, incorporated by reference in Rule 424, subsection G.5.e that is labeled and formulated for application directly to bare metal surfaces to provide corrosion resistance and to promote adhesion of subsequent topcoats.

**PRETREATMENT COATING:** for the purposes of Rule 427, any Coating that contains a minimum of one-half (0.5) percent acid by weight and not more than 16 percent solids by weight necessary to provide surface etching and is labeled and formulated for application directly to bare metal surfaces to provide corrosion resistance and adhesion.

**PRIMER, SEALER, AND UNDERCOATER:** for purposes of Rule 424, a Primer, Sealer, and Undercoater is a Coating labeled and formulated for one or more of the following purposes;

1. to provide a firm bond between the substrate and the subsequent Coatings; or
2. to prevent subsequent Coatings from being absorbed by the substrate; or
3. to prevent harm to subsequent Coatings by materials in the substrate; or
4. to provide a smooth surface for the subsequent application of Coatings; or
5. to provide a clear finish coat to seal the substrate; or
6. to block materials from penetrating into or leaching out of a substrate.

**PRIMER:** for purposes of Rule 427, Primer is any Coating which is labeled and formulated for application to a substrate to provide:

1. a bond between the substrate and subsequent coats
2. corrosion resistance
3. a smooth substrate surface, or
4. resistance to penetration of subsequent coats, and on which a subsequent Coating is applied.

Primers may be pigmented.

**PRIMER SEALER:** for purposes of Rule 427, a Primer Sealer is any Coating which is labeled and formulated for application prior to the application of a color Coating for the purpose of color uniformity, or to promote the ability of the underlying Coating to resist penetration by the color Coating.

**PRIMER SURFACER:** any Coating applied prior to the application of a Topcoat for the purpose of corrosion resistance, adhesion of the Topcoat, and which promotes a uniform surface by filling in surface imperfections.

**PRIORITY RESERVE:** a depository of emission reductions for loan to applicable priority sources for use as Offsets.

**PROCESS HEATER:** means any combustion Equipment fired with liquid and/or gaseous fuel and which transfers heat from the combustion gases to water or processes stream. Heaters used for swimming pools, spas and/or therapy pools shall be considered Process

Heaters. "Process Heater" shall not include any combustion Equipment where the material being heated is in direct contact with the products of combustion, such as Furnaces or Kilns, or any unfired waste heat recovery heater that is used to recover sensible heat from the exhaust of any combustion Equipment.

PROCESS WEIGHT PER HOUR: the total weight of all materials introduced into any specific process which process may cause any discharge into the Atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. "The Process Weight Per Hour" will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the Equipment is idle. Cooling air and cooling water will not be considered as part of the process weight.

PROJECT: activity, for which a permit is required, or that has the Potential to Emit Air Contaminants. A project includes all of the Emission Units associated with the scope of the preconstruction application for a new or modified Stationary Source and any Emissions Unit(s) indirectly affected.

PROPOSED EMISSIONS: the Potential to Emit for a new or post Modification Emissions Unit.

QUANTIFIABLE: means a reliable, replicable and accurate basis for calculating the amount, rate, nature and characteristic of an emission reduction by adhering to a quantification protocol that can be established, considering US EPA, CARB and District policies and procedures.

QUARTERLY: the calendar quarter beginning in January 1, April 1, July 1, and October 1.

QUICK-DRY ENAMEL: a Nonflat Coating that is labeled as specified in Rule 424, subsection E.9 and that is formulated to have the following characteristics:

1. is capable of being applied directly from the container under normal conditions with ambient temperatures between 60°F and 80°F (16°C and 27°C).
2. when tested in accordance with ASTM D1640-95, incorporated by reference in Rule 424, section G.5.f, sets to touch in 2 hours or less, is tack free in 4 hours or less, and dries hard in 8 hours or less by the mechanical test method; and
3. has a dried film gloss of 70 or above on a 60 degree meter.

Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.



**QUICK-DRY PRIMER, SEALER AND UNDERCOAT:** a Primer, Sealer or Undercoat that is dry to the touch in 30 minutes and can be recoated in 2 hours when tested in accordance with ASTM D1640-95, incorporated by reference in Rule 424, section G.5.f. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**RAINY PERIOD:** for the purpose of Rule 420, when the twenty-four (24) hour measured rainfall amount ending at 4 a.m. is between 0.20 inches and 0.75 inches.

**RANGE IMPROVEMENT BURNING:** the use of open outdoor fires to remove vegetation for a wildlife, game or livestock habitat or for the initial establishment of an agricultural practice on previously uncultivated land.

**RATED BRAKE HORSEPOWER:** the maximum Rated Brake Horsepower specified for the engine by the manufacturer and listed on the nameplate for the unit, regardless of any derating, unless limited by the engine's Permit to Operate (PTO).

**REACTIVE ORGANIC COMPOUND (ROC):** see Volatile Organic Compound (VOC) definition.

**REACTIVE PENETRATING SEALER:** a clear or pigmented Coating that is labeled and formulated for application to above-grade concrete and masonry substrates to provide protection from water and waterborne contaminants, including, but not limited to, alkalis, acids, and salts. Reactive Penetrating Sealers must penetrate into concrete and masonry substrates and chemically react to form covalent bonds with naturally occurring minerals in the substrate. Reactive Penetrating Sealers line the pores of concrete and masonry substrates with a hydrophobic Coating, but do not form a surface film. Reactive Penetrating Sealers must meet all of the following criteria:

1. the Reactive Penetrating Sealer must improve water repellency at least 80 percent after application on a concrete or masonry substrate. This performance must be verified on standardized test specimens, in accordance with one or more of the following standards, incorporated by reference in Rule 424, subsection G.5.u, ASTM C67-07, or ASTM C97-02, or ASTM C140-06; and
2. the Reactive Penetrating Sealer must not reduce the water vapor transmission rate by more than 2 percent after application on a concrete or masonry substrate. This performance must be verified on standardized test specimens in accordance with ASTM E96/E96M-05, incorporated by reference in Rule 424, subsection G.5.v; and
3. products labeled and formulated for vehicular traffic surface chloride screening applications must meet the performance criteria listed in the National Cooperative Highway Research Report 244 (1981), incorporated by reference in Rule 424, subsection G.5.w.

Reactive Penetrating Sealers must be labeled in accordance with Rule 424, subsection E.10.

REAL: a "real" emission reduction means that actual air emissions are reduced and that they are actually occurring and not artificially devised.

REASONABLE FURTHER PROGRESS: annual incremental reductions in emissions required for the purpose of ensuring attainment of state or federal Ambient Air Quality Standards by the applicable date.

REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT): is the most stringent of the following control options:

1. the most effective emission limits in existing regulations that are currently in effect in any District whose nonattainment status is designated as moderate, with such limits resulting from the application of retrofit technologies judged by the APCO to be demonstrated and reliable.
2. emission limits identified in existing Suggested Control Measures (SCM's), model rules, the US EPA's Control Techniques Guidelines (CTG's) or other such documents.
3. emission limits in new (post 1988) SCM's and the technical review group of the California Air Pollution Control Officers Association approved Reasonably Availability Control Technology/Best Available Retrofit Control Technology (RACT/BARCT) determinations, which are not identified as BACT and are less stringent than BACT.
4. the lowest emission limit that can be achieved by the specific Source by the application of control technology taking into account environmental impacts, technological feasibility, cost-effectiveness, and the specific design features or extent of necessary Modifications to the Source. Emission limits for existing specific Sources may be found in the field studies and evaluations of District regulations conducted by the US EPA and the CARB.
5. the lowest emission limit achieved for the Source category that is technically feasible, economically reasonable and achieved in practice anywhere (including outside the United States), with such limits resulting from the application of retrofit control technologies judged by the APCO to be demonstrated and reliable.
6. any combination of control technologies that will achieve emission reductions equivalent to that resulting from the most stringent option listed above.

REBUILT EQUIPMENT: for the purposes of Rule 415, means any component of a Vapor Recovery System that has undergone repair or replacement of any or all of its internal parts.

**RECONSTRUCTED STATIONARY SOURCE:** any Stationary Source undergoing physical Modification where the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost of a comparable entirely new Stationary Source. Fixed capital cost means that capital needed to provide all the depreciable components.

**RECYCLED COATING:** an Architectural Coating formulated such that it contains a minimum of 50% by volume post-consumer Coating, with a maximum of 50% by volume secondary industrial materials or virgin materials.

**REDUCER:** the Solvent used to thin enamel.

**REDUCTION OF ANIMAL MATTER:** processing animal matter by any process, including rendering, cooking, drying, dehydration, digestion, and evaporation, but not including any processing of food for human consumption.

**REFINISHING:** any Coating of vehicles, their parts and components, or Mobile Equipment, including partial body collision repairs, for the purpose of protection or beautification and which is subsequent to the original Coating applied at an original Equipment manufacturing (OEM) plant Coating assembly line.

**REMOTE RESERVOIR:** liquid Organic Solvent tank which is completely enclosed except for a Solvent return opening no larger than 100 cm<sup>2</sup> (15 in<sup>2</sup>) which allows used Organic Solvent to drain into it from a separate Organic Solvent sink or work area and which is not accessible for soaking parts.

**RESIDENTIAL:** areas where people reside or lodge, including, but not limited to, single and multiple family dwellings, condominiums, mobile homes, apartment complexes, motels, and hotels.

**RESIDENTIAL RUBBISH:** refuse originating from Residential uses and includes wood, paper, cloth, cardboard, tree trimmings, leaves, lawn clippings, and dry plants, but not household garbage.

**RETAIL FACILITY OR RETAIL SERVICE STATION:** is any Motor Vehicle refueling facility subject to payment of California sales tax on gasoline sales.

**RICH BURN ENGINE:** any spark or compression ignited Internal Combustion Engine that is operated with an exhaust gas stream oxygen concentration of less than four percent (4%) by volume. The exhaust gas oxygen content shall be determined from the uncontrolled exhaust gas stream.

**ROAD OILS:** slow cure asphalts.

**ROC ANALYZER:** hydrocarbon analyzer satisfying United States Environmental Protection Agency Method 21, 40 CFR Part 60.

**ROOF COATING:** a non-bituminous Coating labeled and formulated for application to roofs for the primary purpose of preventing water penetration, reflecting ultraviolet light, or reflecting solar radiation.

**RULE:** a Rule of the Air Pollution Control District of Imperial County.

**RUST PREVENTATIVE COATING:** a Coating formulated to prevent the corrosion of metal surfaces for one or more of the following applications:

1. direct-to-metal Coating; or
2. Coating intended for application over rusty, previously coated surfaces.

The Rust Preventative category does not include the following:

3. Coatings that are required to be applied as a topcoat over a p Primer; or
4. Coatings that are intended for use on wood or any other non-metallic surface.

Rust Preventative Coatings are for metal substrates only and must be labeled as such, in accordance with the labeling requirements in Rule 424, subsection E.7.

**SANDING SEALER:** a clear or semi-transparent Wood Coating labeled and formulated for application to bare wood to seal the wood and to provide a coat that can be abraded to create a smooth surface for subsequent applications of Coatings. A Sanding Sealer that also meets the definition of a Lacquer is not included in this category, but is included in the Lacquer category. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**SEASONAL SOURCE:** any Stationary Source with more than 75 percent of its annual operating hours within a consecutive 120 day period.

**SECONDARY EMISSIONS:** means emissions which would occur as a result of the Construction or operation of a Stationary Source or Modification, but do not come from the Stationary Source or Modification itself. Secondary emissions must be specific, well defined, Quantifiable, and impact the same general area as the Stationary Source or Modification which causes the Secondary Emissions. Secondary Emissions include emissions from any offsite support facility which would not be constructed or increase its emissions except as a result of the Construction or operation of the Stationary Source. Secondary Emissions do not include any emissions which come directly from a mobile source such as emissions from the tailpipe of a Motor Vehicle, from a train, or from a vessel.

**SECONDARY INDUSTRIAL MATERIALS:** products or by-products of the paint

manufacturing process that are of known composition and have economic value but can no longer be used for their intended purpose.

**SEMITRANSSPARENT COATING:** a Coating that contains binders and colored pigments and is formulated to change the color of the surface, but not conceal the grain pattern or texture.

**SEMI-TRANSPARENT STAINS:** Coatings which are formulated to change the color of a surface but not conceal the surface.

**SEMI-TRANSPARENT WOOD PRESERVATIVES:** Wood Preservative Stains formulated and used to protect exposed wood from decay or insect attack by the addition of a Wood Preservative chemical registered by the California Department of Food and Agriculture, which change the color of a surface but do not conceal the surface, including clear Wood Preservatives.

**SHELLAC:** a clear or opaque Coating formulated solely with the resinous secretions of the lac beetle (*Lacifer lacca*), and formulated to dry by evaporation without a chemical reaction.

**SHOP APPLICATION:** application of a Coating to a product or a component of a product in or on the premises of a factory or a shop as part of a manufacturing, production, or repairing process (e.g., original Equipment manufacturing Coatings).

**SHUTDOWN:** means an action necessary to cease operation of an Emissions Unit and includes the amount of time needed to safely do so. For the purposes of calculating ERC's, means the Permanent cessation of emissions from an emitting unit and the surrender of the operating permit.

**SIGNIFICANT:** in reference to an Emissions Increase or the potential of a Source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:

1. PM<sub>2.5</sub>: 10 tpy of direct PM<sub>2.5</sub> or 40 tpy of sulfur dioxide, nitrogen oxide, VOC's or Ammonia.
2. Nitrogen oxides: 40 tpy
3. Sulfur dioxide: 40 tpy
4. VOC's: 40 tpy; and
5. PM<sub>10</sub>: 15 tpy

**SIGNIFICANT EMISSIONS INCREASE:** an increase in emissions that is Significant for that pollutant.

**SIGNIFICANT NET EMISSIONS INCREASE:** an increase in net emissions that is Significant for that pollutant. The "net emissions increase" shall be determined as defined in 40 CFR 51.165.

**SINGLE-STAGE COATING:** any pigmented Coating, excluding Primers and Multi-Color Coatings, labeled and formulated for application without a subsequent clear coat. Single-stage Coatings include single-stage metallic/iridescent Coatings.

**SOAP BUBBLE SCORE:** the magnitude of a leak as indicated by the size of bubble formation resulting from spraying the suspected area with a standard solution. Soap scores are assigned following six seconds of observation as follows:

Soap Score	Estimate Bubble Volume (cc/6 Sec.)
0	No detectable bubbling
1	0 to 1 cc per 6 sec.
2	1 to 10 cc per 6 sec.
3	10 to 100 cc per 6 sec.
4	Greater than 100 cc per 6 sec.

**SOLICIT:** to require for use or to specify, by written or oral contract.

**SOLVENT:** for purposes of Rule 427, a VOC-containing fluid used to perform cleaning operations.

**SOURCE:** a specific device, article, or piece of Equipment from which Air Contaminants are emitted, or the distinct place (such as with fires or other chemical activity) from which Air Contaminants are emitted. A Project or facility may have more than one Source and the term may be used to describe a group of "Sources."

**SPACE VEHICLE:** a vehicle designed for use beyond the earth's Atmosphere.

**SPECIALTY COATING:** a Coating used for limited, specialty applications, such as Camouflage Coatings or extreme performance Coatings. Such Coatings frequently have no complying counterpart, and often must be used to fulfill specific performance requirements of the particular Coating application.

**SPECIALTY PRIMER, SEALER, AND UNDERCOATER:** a Coating that is formulated for application to a substrate to block water-soluble Stains resulting from: fire damage; smoke damage; or water damage. Specialty Primers, Sealers, and Undercoaters must be labeled in accordance with Rule 424, subsection E.8. Until January 1, 2012, the Specialty Primer, Sealer, and Undercoater includes Coatings formulated to seal excessively chalky surfaces. An excessively chalky surface is one that is defined as having a chalk rating of four or less as determined by ASTM D4214-98, incorporated by reference in Rule 424, subsection G.5.g.

**SPOT REPAIR:** repair of an area on a Motor Vehicle, piece of Mobile Equipment, or associated parts or components of less than 1 square foot (929 square centimeters).

**SPRAY SAFETY SWITCH:** safety switch which cuts off the spray applicator pump if vapor levels drop below a specific level.

**STACK-GAS OXYGEN SYSTEM:** means a system of monitors that is used to maintain excess air at the desired level. A typical system consists of a flue gas oxygen and/or carbon monoxide monitor that automatically provides a feedback signal to the combustion air controller.

**STAIN:** a semi-transparent, or opaque Coating labeled and formulated to change the color of a surface but not conceal the grain pattern or texture.

**STANDARD CONDITIONS:** a gas temperature of 60 degrees Fahrenheit and a gas pressure of 14.7 pounds per square inch absolute. Results of all analyses and tests shall be calculated or reported at this gas temperature and pressure.

**STARTUP:** means an action necessary to begin operation of a unit and includes the amount of time needed for a unit and ancillary Equipment to achieve stable operations.

**STATE BOARD:** the California Air Resources Board, or any Person authorized to act on its behalf.

**STATIONARY GAS TURBINE(S):** means any gas turbine system, with or without power augmentation, which is permanently attached to a foundation, or is not a portable gas turbine. Two or more gas turbines powering a common shaft shall be treated as one gas turbine.

**STATIONARY SOURCE:** any building, structure, facility, Equipment, or Emissions Unit which emits or may emit any Affected Pollutant directly or as a Fugitive Emission. Building, structure, or facility includes all pollutant emitting activities, including Emission Units, which:

1. are located on one or more contiguous or adjacent properties, and
2. are under the same or common ownership or operation, or which are owned or operated by entities which are under common control, and
3. belong to the same industrial grouping either by virtue of falling within the same two-digit standard industrial classification code or by virtue of being part of a common production process, industrial process, manufacturing process, or connected process involving a common raw material.

**STATIONARY TANK:** any tank, reservoir or other container used to store, but not transport, Reactive Organic Compounds.

**STENCIL COATING:** for the purposes of Rule 425, means an ink or Coating which is rolled, sprayed with an airbrush or a touch-up gun with a capacity of 8 ounces (236.4 ml) or less, or brushed using a template to add identifying letters and/or numbers to Aerospace Component.

**STONE CONSOLIDANT:** a Coating that is labeled and formulated for application to stone substrates to repair historical structures that have been damaged by weathering or other decay mechanisms. Stone Consolidants must penetrate into stone substrates to create bonds between particles and consolidate deteriorated material. Stone Consolidants must be specified and used in accordance with ASTM E2167-01, incorporated by reference in Rule 424, subsection G.5.x. Stone Consolidants are for professional use only and must be labeled as such, in accordance with the labeling requirements in Rule 424, subsection E.11.

**STRIPPER:** a Reactive Organic Compound liquid applied to remove a Maskant, paint, paint residue or temporary protective Coating.

**SUBMERGED FILL PIPE:** any permanent fill pipe which has its discharge opening entirely submerged when the liquid level is six inches above the bottom of the tank. "Submerged Fill Pipe" when applied to a tank which is loaded from the side means any fill pipe which has its discharge opening entirely submerged when the liquid level is 18 inches above the bottom of the tank.

**SURFACE PREPARATION SOLVENT:** any Solvent used primarily for the conditioning of a surface to receive a Coating.

**SURPLUS:** the amount of emission reductions that are, at the time of generation of an ERC, not otherwise required by federal, State, or local law, not required by any legal settlement or consent decree, and not relied upon to meet any requirement related to the California SIP. For the purpose of Rule 207, sections C.2.c and C.2.d, "Surplus" means the amount of emission reductions that are, at the time of use of an ERC, not otherwise required by federal, State, or local law, not required by any legal settlement or consent decree, and not relied upon to meet any requirement related to the California SIP. However, emission reductions required by a state statute that provides that the subject emission reductions shall be considered Surplus may be considered Surplus for purposes of Rule 207 if those reductions meet all other requirements of Rule 207. Examples of federal, State, and local laws and of SIP-related requirements include, but are not limited to, the following:

1. the federally-approved California SIP;
2. other adopted State air quality laws, and regulations not in the SIP, including but not limited to, any requirement, regulation, or measure that : (1) the District or the



State has included on a legally-required and publicly-available list of measures that are scheduled for adoption by the District or the State in the future; or (2) is the subject of a public notice distributed by the District or the State regarding an intent to adopt such revision;

3. any other Source or Source-category specific regulatory or permitting requirement, including, but not limited to, RACT, New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), Best Available Control Measures (BACM), BACT, and the Lowest Achievable Emission Rates (LAER); and
4. any regulation or supporting documentation that is required by the CAA but is not contained or referenced in 40 CFR Part 52, including but not limited to: assumptions used in attainment and maintenance demonstrations (including Reasonable Further Progress demonstrations and milestone demonstrations), including any proposed control measure identified as potentially contributing to an Enforceable near-term emissions reduction commitment; assumptions used in conformity demonstrations, and assumptions used in emissions inventories.
5. emission reductions produced by monies from any public air quality related funding program including but not limited to the Carl Moyer Memorial Air Quality Standards Attainment Program and the vehicle registration surcharge fee.

**SWIMMING POOL COATING:** a Coating labeled and formulated to coat the interior of swimming pools and to resist swimming pool chemicals. Swimming Pool Coatings included Coatings used for swimming pool repair and maintenance.

**SWIMMING POOL REPAIR AND MAINTENANCE COATING:** a rubber based Coating labeled and formulated to be used over existing rubber based Coatings for the repair and maintenance of swimming pools. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**SWITCH LOADING:** the loading of organic liquids with a Reid vapor pressure of less than 4.0 pounds into a delivery vessel where the previous load was gasoline.

**TACK COAT:** any application of Asphalt applied to an existing surface to provide a bond between new surfacing and an existing surface and to eliminate slippage planes where the new and existing surfaces meet.

**TANK REPLACEMENT:** the replacement of one or more stationary Gasoline storage tanks at an existing Gasoline dispensing facility, or, the excavation of 50 percent or more of an existing Gasoline dispensing facility's total underground liquid Gasoline piping from the stationary storage tanks to the Gasoline dispensers.

**TEMPERATURE-INDICATOR SAFETY COATING:** a Coating labeled and formulated as

a color-changing indicator Coating for the purpose of monitoring the temperature and safety of the substrate, underlying piping, or underlying Equipment, and for application to substrates exposed continuously or intermittently to temperatures above 400°F (204°C). Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**TEMPORARY PROTECTIVE COATING:** for the purposes of Rule 427, any Coating which is labeled and formulated for the purpose of temporarily protecting areas from overspray or mechanical damage.

**THERMAL OXIDIZER:** means combustion Equipment fired with Gaseous Fuel and used to control emissions of Air Contaminants from industrial or commercial processes.

**THERMO CONTROL COATING:** a Coating applied to Space Vehicle components to reflect heat and formulated to give specific heat reflectance, absorption and emissivity properties, or a Coating required for aerospace engine components to delay component failure due to fire.

**TINT BASE:** an Architectural Coating to which colorant is added after packaging in sale units to produce a desired color.

**TOPCOAT:** a Coating applied over a Primer as the final coat for purposes such as appearance, identification, or protection.

**TOTAL REDUCED SULFUR COMPOUNDS:** the sulfur compounds methyl mercaptan, dimethyl sulfide, dimethyl disulfide, carbon disulfide, and carbonyl sulfide.

**TOUCH-UP COATING:** for the purposes of Rule 425, means a Coating that is used for that portion of the Coating operation which is incidental to the main Coating process but necessary to cover minor imperfections or to achieve coverage as required. A touch-up Coating may include small amounts of Solvent, applied by hand, used to attach Coating patches exhibiting inadequate adhesion.

**TOXIC AIR CONTAMINANT:** an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness or which may pose a present or potential hazard to human health. This includes, but is not limited to, hazardous air pollutants listed in Section 112(b) of the Clean Air Act, which is incorporated by reference.

**TRAFFIC MARKING COATING:** a Coating labeled and formulated for marking and striping streets, highways, or other traffic surfaces including, but not limited to, curbs, berms, driveways, parking lots, sidewalks, and airport runways.

**TRANSFER:** in reference to ERC's, means the conveyance of an ERC from one entity to another

**TRANSFER EFFICIENCY:** is the amount of Coating solids adhering to the object being coated divided by the total amount of Coating solids sprayed, expressed as a percentage.

**TREATED BRUSH:** material to be burned that has been felled, crushed or uprooted with mechanical Equipment, or desiccated with herbicides.

**TRUCK BED LINER COATING:** any Coating, excluding clear, color, multi-color, and single stage Coatings, labeled and formulated for application to a truck bed to protect it from surface abrasion.

**TUB AND TILE REFINISH COATING:** a clear or opaque Coating that is labeled and formulated exclusively for refinishing the surface of a bathtub, shower, sink, or countertop. Tub and Tile Refinish Coatings must meet all of the following criteria:

1. the Coating must have a scratch hardness of 3H or harder and a gouge hardness of 4H or harder. This must be determined on bonderite 1000, in accordance with ASTM D3363-05, incorporated by reference in Rule 424, subsection G.5.p and
2. the Coating must have a weight loss of 20 milligrams or less after 1000 cycles. This must be determined with CS-17 wheels on bonderite 1000, in accordance with ASTM D4060-07 incorporated by reference in Rule 424, subsection G.5.q and
3. the Coating must withstand 1000 hours or more of exposure with few or no #8 blisters. This must be determined on unscribed bonderite, in accordance with ASTM D4585-99 and ASTM D714-02e1, incorporated by reference in Rule 424, subsection G.5.r and
4. the Coating must have an adhesion rating of 4B or better after 24 hours of recovery. This must be determined on unscribed bonderite, in accordance with ASTM D4585-99 and ASTM D3359-02, incorporated by reference in Rule 424, subsection G.5.o.

**ULTRASONIC:** enhancement of cleaning process by vibrating Organic Solvent with high frequency sound waves, causing implosion of microscopic vapor cavities within liquid Organic Solvent.

**UNDERBODY COATING:** for purposes of Rule 427, any Coating labeled and formulated for application to wheel wells, the inside of door panels or fenders, the underside of a trunk or hood, or the underside of the Motor Vehicle.

**UNIFORM FINISH COATING:** for purposes of Rule 427, any Coating labeled and formulated for application to the area around a Spot Repair for the purpose of blending a repaired area's color or clear coat to match the appearance of an adjacent area's existing Coating.

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (US EPA):** the

Administrator or appropriate delegate of the "United States Environmental Protection Agency."

UNRESERVED FUND BALANCE: the excess of the assets of a governmental fund or trust fund over its liabilities and fund balance reserved accounts.

UPWIND: the area bounded by a line drawn perpendicular to the predominant wind flow line passing through or nearest to the site of the new source or Modification and extending to the boundaries of the same or adjoining counties within the same air basin except where the APCO determines that for reasons of topography or meteorology such a definition is inappropriate.

VAPOR LEVEL CONTROL THERMOSTAT: safety switch which turns off sump heater if temperature rises above design operating level at center of air-vapor interface.

VAPOR RECOVERY SYSTEM: a vapor-gathering system capable of collecting organic vapors and gases emitted during the operation of Equipment.

VAPOR TIGHT: for the purposes of Rule 415, means a leak of less than 100 percent of the lower explosive limit on a combustible gas detector measured at a distance of 2.5 cm (1 in) from the Source or no visible evidence of air entrainment in the sight glasses of liquid delivery hoses.

VARIANCE: an authorization by the Hearing Board to permit, for a specified limited period of time, some act contrary to the requirements specified by the District Rules and regulations.

VARNISH: a clear or semi-transparent Wood Coating, excluding Lacquers and Shellacs, formulated to dry by chemical reaction on exposure to air. Varnishes may contain small amounts of pigment to color a surface, or to control the final sheen or gloss of the Finish. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

VEHICLE CLASS: either a Passenger Car, Light Duty Truck, Medium Duty Vehicle or Heavy Duty Vehicle as defined in Title 13 California Code of Regulation section 1900.

VENEER: thin sheets of wood peeled or sliced from logs for use in the manufacture of wood products such as plywood, laminated Veneer lumber, or other products.

VIRGIN MATERIALS: materials that contain no post-consumer Coatings or secondary industrial materials.

VOLATILE FUEL: any fuel having a Reid vapor pressure of greater than 3.0 pounds per square inch when tested pursuant to the American Society of Testing and Materials (ASTM) Reid Vapor Pressure test method, or having a true vapor pressure of greater than

3.0 pounds per square inch absolute at 100°F if the ASTM Reid Vapor Pressure test is not applicable.

**VOLATILE ORGANIC COMPOUND (VOC):** any volatile compound containing at least one atom of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, and excluding the following:

1. methane;  
methylene chloride (dichloromethane);  
1,1,1-trichloroethane (methyl chloroform);  
trichlorofluoromethane (CFC-11);  
dichlorodifluoromethane (CFC-12);  
1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113);  
1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114);  
chloropentafluoroethane (CFC-115);  
chlorodifluoromethane (HCFC-22);  
2,2-dichloro-1,1,1-trifluoroethane (HCFC-123);  
2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124);  
1,1-dichloro-1-fluoroethane (HCFC-141b);  
1-chloro-1,1-difluoroethane (HCFC-142b);  
trifluoromethane (HFC-23);  
pentafluoroethane (HFC-125);  
1,1,2,2-tetrafluoroethane (HFC-134);  
1,1,1,2-tetrafluoroethane (HFC-134a);  
1,1,1-trifluoroethane (HFC-143a);  
1,1-difluoroethane (HFC-152a);  
cyclic, branched, or linear completely methylated siloxanes;  
the following classes of perfluorocarbons:
  - (A) cyclic, branched, or linear, completely fluorinated alkanes;
  - (B) cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
  - (C) cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
  - (D) sulfur-containing perfluorocarbons with no unsaturations and with the sulfur bonds only to carbon and fluorine; and
2. the following low Reactive Organic Compounds which have been exempted by the US EPA:  
acetone;  
ethane;  
parachlorobenzotrifluoride (1-chloro-4-trifluoromethyl benzene);  
perchloroethylene;  
methyl acetate;  
propylene carbonate and  
dimethyl carbonate

3. Perfluorocarbon and Methylated Siloxane compounds shall be assumed to be absent from any product or process unless the manufacturer or operator indicates which specific, individual compounds from these broad classes are present, indicated the amount(s) present, and demonstrates the availability of a test method approved by the US EPA, the CARB, and the District for verifying the amount(s) present quantitatively.
4. Tertiary-Butyl Acetate (also known as t-butyl acetate, TBAC or TBAC) shall be considered exempt as a VOC only for purposes of VOC emissions limitations or VOC content requirements, but will continue to be a VOC for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling, and inventory requirements with apply to VOC's.

VOC ACTUAL: VOC Actual is the weight of VOC per volume of Coating and it is calculated with the following equation:

$$\text{VOC Actual} = \frac{(Ws - Ww - Wec)}{(Vm)}$$

Where:

VOC Actual = the grams of VOC per liter of Coating (also known as "Material VOC")  
Ws = weight of volatiles, in grams  
Ww = weight of water, in grams  
Wec = weight of exempt compounds, in grams  
Vm = volume of Coating, in liters

VOC CONTENT: the weight of VOC per volume of Coating. VOC Content is VOC Regulatory, as defined within this rule under VOC Regulatory, for all Coatings except those in the Low Solids category. For Coatings in the Low Solids category, the VOC Content is VOC Actual, as defined within this rule under VOC Actual. If the Coating is a multi-component product, the VOC content is VOC Regulatory as mixed or catalyzed. If the Coating contains silanes, siloxanes, or other ingredients that generate ethanol or other VOCs during the curing process, the VOC content must include the VOCs emitted during curing.

VOC REGULATORY: VOC Regulatory is the weight of VOC per volume of Coating, less the volume of water and exempt compounds. It is calculated with the following equation:

$$\text{VOC Regulatory} = \frac{(Ws - Ww - Wec)}{(Vm - Vw - Vec)}$$

Where:

VOC Regulatory = grams of VOC per liter of Coating, less water and exempt compounds (also known as "Coating VOC")  
Ws = weight of volatiles, in grams

Ww	=	weight of water, in grams
Wec	=	weight of exempt compounds, in grams
Vm	=	volume of Coating, in liters
Vw	=	volume of water, in liters
Vec	=	volume of exempt compounds, in liters

**WASTE HEAT RECOVERY BOILER:** means Waste Heat Recovery Boilers used to recover sensible heat from unfired Waste Heat Recovery Boilers and from the exhaust of any combustion Equipment.

**WATER TREATMENT ADDITIVES:** any combination of chemicals used to treat cooling tower water. They include, but are not limited to, corrosion inhibitors antiscalants, dispersants and biocides.

**WATERPROOFING CONCRETE/MASONRY SEALER:** a clear or pigmented film-forming Coating that is labeled and formulated for sealing concrete and masonry to provide resistance against water, alkalis, acids, ultraviolet light, and staining. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**WATERPROOFING MEMBRANE:** a clear or opaque Coating that is labeled and formulated for application to concrete and masonry surfaces to provide a seamless waterproofing membrane that prevents any penetration of liquid water into the substrate. Waterproofing Membranes are intended for the following waterproofing applications: below-grade surfaces, between concrete slabs, inside tunnels, inside concrete planters, and under flooring materials. Waterproofing Membranes must meet the following criteria:

1. Coating must be applied in a single coat of at least 25 mils (at least 0.025 inch) dry film thickness; and
2. Coatings must meet or exceed the requirements contained in ASTM C836-06, incorporated by reference in Rule 424, subsection G.5.s.

The Waterproofing Membrane category does not include Topcoats that are included in the Concrete/Masonry Sealer category (e.g., parking deck Topcoats, pedestrian deck Topcoats, etc.).

**WATERPROOFING SEALER:** a Coating labeled and formulated for application to a porous substrate for the primary purpose of preventing the penetration of water. Effective January 1, 2011, a Coating meeting this definition will be subject to the applicable category in Table 424-2, except as provided in subsection D.2, Most Restrictive VOC Limits found in Rule 424.

**WIPE CLEANING:** method of cleaning which utilizes a cloth, cotton swab or other material, wetted with an Organic Solvent, which is physically rubbed on surface to be

degreased.

**WOOD COATINGS:** Coatings labeled and formulated for application to Wood Substrates only. The Wood Coatings category includes the following clear and semitransparent Coatings: Lacquers; Varnishes; Sanding Sealers; penetrating oils; clear Stains; wood conditioners used as undercoats; and wood sealers used as Topcoats. The Wood Coatings category also includes the following opaque wood Coatings: opaque Lacquers; opaque Sanding Sealers; and opaque Lacquer undercoaters. The Wood Coatings category does not include the following: clear sealers that are labeled and formulated for use on concrete/masonry surfaces; or Coatings intended for substrates other than wood.

Wood Coatings must be labeled "For Wood Substrates Only", in accordance with Rule 424, subsection E.13.

**WOOD PRESERVATIVE:** a Coating labeled and formulated to protect exposed wood from decay or insect attack, that is registered with both the US EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (7 United States Code (U.S.C.) Section 136, *et seq.*) and with the California Department of Pesticide Regulation.

**WOOD SUBSTRATE:** a substrate made of wood, particleboard, plywood, medium density fiberboard, rattan, wicker, bamboo, or composite products with exposed wood grain. Wood Products do not include items comprised of simulated wood.

**ZINC-RICH PRIMER:** a Coating that meets all of the following specifications:

1. Coating contains at least 65 percent metallic zinc powder or zinc dust by weight of total solids; and
2. Coating is formulated for application to metal substrates to provide a firm bond between the substrate and subsequent applications of Coatings; and
3. Coating is intended for professional use only and is labeled as such, in accordance with the labeling requirements in Rule 424, subsection E.14.



**AFFIDAVIT OF PUBLICATION  
(2015.5 C.C.P.)**

**STATE OF CALIFORNIA**

**County of Imperial**

I am a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk\* of the printer of the

**Imperial Valley Press**

a newspaper of general circulation, printed and published daily in the City of El Centro, County of Imperial and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Imperial, State of California, under the date of October 9, 1951, Case Number 26775; that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

08/05 .

all in the year 2018

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

  
SIGNATURE

Name of Account: I C CLERK - BOARD OF SUPERVISORS

Order Number: 11202758

Ad Number: 31432823

\* Printer, Foreman of the Printer, or Principal Clerk of the Printer

Date: 6 th day of August, 2018.  
at El Centro, California.

This space is for the County Clerk's Filing Stamp:

Proof of Publication of:

**LEGAL ADVERTISEMENT  
IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT**

**NOTICE OF PUBLIC HEARING FOR ADOPTION OF  
PROPOSED NEW AND AMENDED RULES AND REGULATIONS OF  
IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT**

The Imperial County Air Pollution Control District Board of Directors will conduct a public hearing to consider the adoption of proposed new and amended Air District Rules and Regulations:

**REVISED RULES**

RULE 101 Definitions  
RULE 207 New and Modified Stationary Source Review  
RULE 804 Open Areas

**NEW RULES**

RULE 428 Wood Burning Appliances  
RULE 429 Mandatory Episodic Curtailment of Wood and Other Solid Fuel Burning

The hearing will be held as follows: 10:45 a.m., September 11, 2018, Board Chambers, County Administration Center, 940 Main St., El Centro, CA

The proposed new and amended rules and associated staff reports are available on the website at [www.co.imperial.ca.us](http://www.co.imperial.ca.us) under "Air Pollution Control". Hard copy requests can be made at the ICAPCD office located at 150 South Ninth Street, El Centro, CA.

The public is invited to attend and be heard. The hearing will be conducted in accordance with the procedures of the Imperial County Air Pollution Control District Board of Directors. If written comments are received more than five days before the hearing they will be included in the Member's packets for this item. Comments should be addressed to the Imperial County Air Pollution Control District, at 150 S. 9th St., El Centro, CA 92243.

**BLANCA ACOSTA**  
Clerk of the Board of Supervisors  
County of Imperial, State of California

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# IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT

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## DRAFT STAFF REPORT

For the Proposed Revisions to  
Rule 101 – Definitions, and  
Rule 207 – New and Modified Stationary Source Review,

September 11, 2018

### **I BACKGROUND**

The Imperial County is currently designated as a nonattainment area for the federal ozone, PM<sub>10</sub> and PM<sub>2.5</sub> standards. The strategy used in Imperial County to control air pollution consists of reducing emissions from new and modified stationary sources through a New Source Review (NSR) program. The Imperial County Air Pollution Control District (District) proposes to revise Rule 207, New and Modified Stationary Source Review, to include new federal NSR requirements and to correct rule deficiencies that would allow for the incorporation of the revised Rule into the District's State Implementation Plan (SIP). The proposed review applies only to new major polluting facilities of ammonia and Volatile Organic Compounds (VOC) as precursors of PM<sub>2.5</sub>; major modifications to major polluting facilities of ammonia and VOCs; and any facility with an emissions increase or a potential to emit 100 tons per year (tpy) or more of ammonia and VOCs, as precursors of PM<sub>2.5</sub>. The proposed revisions to Rule 207 are to establish appropriate major stationary source thresholds for PM<sub>2.5</sub> precursors, including VOC and ammonia, in order to align with Imperial County's classification as a "moderate" PM<sub>2.5</sub> nonattainment area and with US EPA's Fine Particulate Matter National Ambient Air Quality Standards implementation rule.

The District adopted Rule 207 prior to March 17, 1980. This version of Rule 207 was submitted, approved and incorporated into the District's SIP. The District then revised Rule 207 on October 22, 2013 to incorporate newly adopted US EPA requirements for PM<sub>2.5</sub>. The rule mirrors federal requirements, which include the definition of major source, significant emissions rate, offset ratios, and applicable requirements for Best Available Control Technology (BACT), facility compliance, offsets, and control of PM<sub>2.5</sub> precursors. Rule 207 was submitted to the United States Environmental Protection Agency (US EPA) Region IX office, for inclusion into the District's SIP. On September 5, 2017, the US EPA granted a conditional approval of Rule 207. The US EPA then determined that Rule 207 did not satisfy the requirements of 40 CFR 51.165(a)(13) which requires ammonia to be regulated as a PM<sub>2.5</sub> precursor. The ICAPCD and the State committed to revise Rule 207 by October 5, 2018 to correct this deficiency. The proposed review is intended to facilitate SIP approval of the rule.

The proposed revisions to Rule 207 reflect the corrected deficiencies identified by US EPA concerning Title 40 Code of Federal Regulations part 51.165(a)(13). Rule 207 is proposed to be reviewed to add ammonia as a precursor pollutant for PM<sub>2.5</sub>. The revision to Rule 207, similarly, addresses other federal Clean Air Act (CAA) requirements. In order to properly correct the identified deficiencies, the District worked



## IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT

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closely with representatives from the US EPA, Region IX office, and the California Air Resources Board (CARB).

No substantial impacts are anticipated for Rule 207, as the thresholds are very high before requirements are triggered. If necessary, it is likely that existing facilities would take a 100-tpy potential to emit cap. Additionally, staff is unaware of any applications for new facilities that would exceed the major source ammonia threshold.

For ammonia, there are source categories (power generation facilities and agricultural sources) which could be affected under new Rule 207 requirements. The new ammonia emission thresholds are only applicable to major stationary sources and major modifications for sources located within the PM<sub>2.5</sub> non-attainment area. There are a number of power generation facilities (combustion) within Imperial County with the potential to increase ammonia emissions (ammonia slip) due to increased use of ammonia needed for Selective Catalytic Reduction (SCR) control technology. The District's assessment of ammonia emissions by power generators in Imperial County indicates that ammonia emissions from all power generating facilities operating SCR technology are significantly below the 100-tpy ammonia threshold for a major stationary source. In addition, there are several power generation facilities (geothermal) with natural occurring ammonia emissions that could be impacted by the new changes in ammonia requirements. The District's assessment of geothermal facilities located within the PM<sub>2.5</sub> nonattainment area in Imperial County indicates that ammonia emissions from these geothermal facilities are below the 100-tpy ammonia threshold for a major stationary source. Likewise, the new thresholds for ammonia emissions in Rule 207 are not anticipated to impact agricultural sources because the type of facility most likely to have larger sources of ammonia emissions are feedlots, and they are not included in the list of facilities that are required to include fugitive emission sources as part of a major source determination, thereby excluding these fugitive ammonia emissions.

The District is also proposing to review Rule 101, Definitions, to align the reviewed terms in Rule 207, Section B, with the same terms defined in Rule 101.

The proposed revisions are expected to have a net positive environmental impact, and no significant adverse economic impacts. The proposed revisions comply with restrictions imposed by California law that prohibit the District from adopting changes to certain rules that make them less stringent.

## **II DESCRIPTION OF RULE 207, NEW AND MODIFIED STATIONARY SOURCE REVIEW (NSR) RULE**

The District implements a comprehensive program to evaluate the expected air quality impacts of stationary, portable, and other non-mobile sources, and where appropriate, to ensure those sources are constructed and operated in a manner that reduces the expected impacts. The District's permitting program includes, among other things, the review of new and modified sources through preconstruction permits, the ongoing regulation of sources through operating permits and applicable emission standards, and



## IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT

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regular inspections of these sources to ensure that they comply with all applicable requirements. In addition, the District implements and enforces CARB (state) regulatory requirements and federal CAA requirements including federal implementing regulations.

The District's NSR rule provides a regulatory mechanism for allowing continued industrial and economic growth while minimizing resulting emission increases. District Rule 207 applies to all new stationary sources and all modifications to existing stationary sources that are subject to District permit requirements. However, there are certain permitting exemptions allowed for smaller sources of emissions that are identified in Rule 202, Exemptions. Currently, all definitions applicable to all District rules are included in Rule 101, Definitions. However, in order to maintain SIP integrity, the District opted to incorporate all definitions applicable to Rule 207 within the rule itself. Rule 207 provides the mechanism for the District to issue permits to new and expanding business. The basic operating premise for industry is Rule 207, which lists the required elements for an Authority to Construct (ATC), Permit to Operate (PTO), and it lists the administrative requirements for the processing of NSR applications

The District's NSR program is designed to meet both the state and federal NSR requirements for nonattainment areas and applies to new and modified stationary sources that emit nitrogen oxides (NO<sub>x</sub>), volatile organic compounds (VOC), particulate matter with an aerodynamic diameter of less than ten microns (PM<sub>10</sub>), fine particulate matter with an aerodynamic diameter of less than two and one half microns (PM<sub>2.5</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), as well as other hazardous pollutants subject to District permitting requirements pursuant to State law. For this reason, two versions of Rule 207 are proposed: one addressing all federal SIP requirements and the second an all-encompassing rule including not only the federal SIP requirements but also the state requirements.

The federal NSR permitting program relies on emissions thresholds to determine when certain requirements apply to new stationary sources and to modifications to existing stationary sources. If a new or modified facility will emit PM<sub>2.5</sub> or PM<sub>2.5</sub> precursor emissions greater than the major source thresholds, the facility is considered a major source. Under the federal Clean Air Act (CAA), sources in a "moderate" PM<sub>2.5</sub> nonattainment area are defined as major sources for nonattainment NSR provisions if they have a potential to emit 100 or more tpy of PM<sub>2.5</sub> or precursors.

Key features of Rule 207 include:

**Best Available Control Technology (BACT):** mandates emission controls to minimize emission increases for any emission unit with a potential to emit equal or above 25 pounds per day;

**Emission offsets:** requires any new or modified stationary source with a potential to emit above 137 pounds per day to offset any emission increases with either concurrent reductions from the stationary source or emission reductions which have been banked as Emission Reduction Credits (ERC) from other stationary sources;





## IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT

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Public notification: a 30-day notice period prior to the issuance of an ATC to garner comments on projects that result in emissions above 100 pounds per day (Rule 206);

### III PROPOSED REGULATORY CHANGES

Precursors are currently defined in Rule 207, Section B, Definitions, as Volatile Organic Compounds, nitrogen oxides (NO<sub>x</sub>), sulfur dioxide (SO<sub>x</sub>) and Ammonia. However, for VOC and ammonia precursors, as an organic fraction of PM<sub>2.5</sub>, these pollutants are conditioned to be a necessary part of the PM<sub>2.5</sub> control strategy in the attainment demonstration. In order to comply with US EPA's 2016 Implementation Rule for PM<sub>2.5</sub> SIPs and 40 CFR 51.165(a)(13), the list of precursors will be reviewed to include Volatile Organic Compounds (Organic fraction of PM<sub>2.5</sub>) and Ammonia (the ammonium fraction of PM<sub>2.5</sub>) as secondary pollutants without conditioning to a determination of PM<sub>2.5</sub> control strategy.

Under current Rule 207, Major Modification means any physical change in or change in the method of operation of a Major Polluting Facility that would result in: a significant emissions increase of a regulated NSR pollutant; and a significant new emissions increase of that pollutant from the Major Polluting Facility. Rule 207 establishes the following thresholds for determining when a net emission increase or the potential of a source to emit a pollutant is considered significant: nitrogen oxides: 40-tpy, sulfur dioxide: 40-tpy, and PM<sub>2.5</sub>: 10-tpy. Because Rule 207 identifies VOC and ammonia as precursors of PM<sub>2.5</sub>, new thresholds for significant modification are proposed for these pollutants. The thresholds are based on the existing Rule 207 values for PM<sub>2.5</sub> precursor's nitrogen oxides and sulfur dioxide of 40-tpy. US EPA's regulation requires the thresholds for VOCs to be 40-tpy but allows states to propose thresholds for ammonia. The District proposes a similar 40-tpy threshold for ammonia. This is a conservative approach which is expected to be acceptable to US EPA since the same threshold has been proposed and deemed acceptable for South Coast AQMD's NSR rule.

The state's NSR program does not require regulation of PM<sub>2.5</sub> emissions. Therefore, only major stationary sources of PM<sub>2.5</sub> and precursors or major modifications are required to comply with federal PM<sub>2.5</sub> NSR program. The District is proposing to exempt sources with a potential to emit below 100-tpy of ammonia from Best Available Control Technology (BACT) applicability for ammonia and make this requirement only applicable to new and modified major stationary sources of ammonia located within the PM<sub>2.5</sub> non-attainment area.

The District is proposing revisions to Rule 207 in order to correct federal deficiencies, which are required prior to any US EPA approval allowing incorporation of the revised rules into the Air District's SIP.

A Proposed revisions to Rule 101 Definitions:



## IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT

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Rule 101 contains the definitions for specific terms applicable to all District rules. All definitions listed in Rule 207, Section B, are also found in Rule 101. Therefore, the proposed reviews to definitions in Rule 207 will be also reviewed in Rule 101. The proposed revisions to Rule 101 are as follows:

*Emission Increase:* added new language to clarify that for determining if a project will result in a new Major Stationary Source or a Major Modification and the amount of offsets required, the emission increase shall be calculated as the difference between a stationary source or an emissions unit's potential to emit and its historical actual emissions.

*Major Stationary Source:* added new language to clarify that the requirements for PM<sub>2.5</sub> and PM<sub>2.5</sub> precursors are only applicable to the stationary sources located within the PM<sub>2.5</sub> non-attainment area.

*Precursors:* added ammonia to the list of secondary pollutants (VOCs, NO<sub>x</sub>, SO<sub>x</sub> and Ammonia) that are precursors to the formation of PM<sub>2.5</sub>, this provision is required to be incorporated to comply with 40 CFR Part 51.165(a)(13). Deleted last sentence of item c) on the Secondary Pollutants column that conditioned VOCs to be treated as a precursor for PM<sub>2.5</sub> only if it was determined to be part of PM<sub>2.5</sub> control strategy. Deleted last sentence that conditioned ammonia to be treated as a precursor for PM<sub>2.5</sub> only if it was determined to be part of PM<sub>2.5</sub> control strategy.

*Significant:* added new language to establish a new threshold of significance of 40-tpy for VOC's and ammonia emissions. This action is appropriate since ammonia and VOCs are precursor pollutants for PM<sub>2.5</sub> formation.

B The following changes are proposed for Draft Rule 207:

*Section B:* This section incorporates the definitions of terms applicable to this rule that are also in Rule 101.

*Emission Increase:* added new language to clarify that for determining if a project will result in a new Major Stationary Source or a Major Modification and the amount of offsets required, the emission increase shall be calculated as the difference between a stationary source or an emissions unit's potential to emit and its historical actual emissions.

*Major Stationary Source:* added new language to clarify that the requirements for PM<sub>2.5</sub> and PM<sub>2.5</sub> precursors are only applicable to the stationary sources located within the PM<sub>2.5</sub> non-attainment area.

*Precursors:* added ammonia to the list of secondary pollutants (VOCs, NO<sub>x</sub>, SO<sub>x</sub> and Ammonia) that are precursors to the formation of PM<sub>2.5</sub>, this provision is required to be incorporated to comply with 40 CFR Part 51.165(a)(13). Deleted last sentence of item c) on the Secondary Pollutants column that conditioned VOCs to be treated as a



## IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT

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precursor for PM<sub>2.5</sub> only if it was determined to be part of PM<sub>2.5</sub> control strategy. Deleted last sentence that conditioned ammonia to be treated as a precursor for PM<sub>2.5</sub> only if it was determined to be part of PM<sub>2.5</sub> control strategy.

*Significant:* added new language to establish a new threshold of significance of 40-tpy for VOC's and ammonia emissions. This action is appropriate since ammonia and VOCs are precursor pollutants for PM<sub>2.5</sub> formation.

*Section C.1:* Best Available Control Technology (BACT).

*Section C.1.i:* Added new language to specify that BACT for ammonia emissions shall not be required for any new emission unit or modification of an existing emission unit, provided the emission increase in ammonia emissions does not result in a new major stationary source or major modification for ammonia. This action is appropriate since ammonia is regulated only for major stationary sources or major modifications. Sources below the 100-tpy major source threshold for ammonia can be exempted from having to comply with BACT to control ammonia emissions.

*Section C.1j:* Added new language to specify BACT for ammonia emissions shall apply only to the PM<sub>2.5</sub> non-attainment area, which covers only the populated area in Imperial County.

### IV PROTECT CALIFORNIA AIR ACT OF 2003 – SENATE BILL 288

The California Health and Safety Code, sections 42500 through 42507 (SB 288), mandates that a District's NSR rule cannot be made less stringent, in a variety of specified areas, than the rule that existed on December 30, 2002. This legislation was crafted and signed into law specifically to prevent Districts from implementing any Federal NSR reforms that would relax California's stringent NSR requirements. CARB has provided guidance on the implementation of SB 288, and has concluded that there are four components of NSR that are affected:

1. NSR applicability determinations.
2. The definitions of "modification", "major modification", "routine maintenance", and "repair or maintenance".
3. The calculation methodology, thresholds, or other procedures of new source review. CARB further interprets this to apply to baseline determinations, calculating emissions changes, offset amounts required and major source and major modification thresholds.
4. The definitions and requirements of NSR regulations, including, on a program-wide basis, the requirement to obtain offsets.

The proposed NSR rule revisions outlined in this staff report implement required federal



## **IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT**

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provisions and correct several deficiencies in the rule with 40 CFR 51.165 and other CAA requirements, as well as add new requirements for ammonia and VOC, as precursors of PM<sub>2.5</sub>, and a BACT exemption for sources below the major stationary source and major modification threshold for ammonia emissions. None of the changes relaxes existing District NSR requirements in any of the two previously amended versions of Rule 207 adopted before December 30, 2002.

### **V. COST EFFECTIVENESS AND SOCIOECONOMIC IMPACT ANALYSIS**

Pursuant to the California H&SC Section 40920.6(a), the District is required to analyze the cost effectiveness of new rules or rule amendments that implement Best Available Retrofit Control Technology (BARCT). The district does not anticipate that any of the proposed changes will require existing sources to be retrofitted with additional control technology. Therefore, the draft revisions do not add BARCT requirements and therefore are not subject to the cost effectiveness analysis mandate.

Additionally, state law requires the District to analyze the socioeconomic impacts of any proposed rule revisions that significantly affect air quality or strengthen an emission limitation. The draft revisions will have neither effect, and are therefore not subject to the socioeconomic analysis mandate.

### **VI. RULE CONSISTENCY ANALYSIS**

Pursuant to the California H&SC Section 40727.2 (g) a rule consistency analysis of the draft rule is not required. The draft rules do not strengthen emission limits or impose more stringent monitoring, reporting, or recordkeeping requirements.

### **VII. ENVIRONMENTAL ASSESSMENT**

Pursuant to §15061 of the Guidelines for the Implementation of the California Environmental Quality Act (CEQA), District staff analyzed the likely environmental impacts of the proposed revisions to Rules 101 and 207. The revisions to Rules 101 and 207 are considered a project under CEQA and the intent of this project is to clarify and/or otherwise add the federal PM<sub>2.5</sub> new source review requirements, which include establishing the ammonia and VOC, as precursors of PM<sub>2.5</sub>, major source permitting thresholds. Additionally, the revisions will include some administrative language change to improve clarity and assure SIP approval of the limited BACT exemption for minor sources of ammonia. The proposed Rule 207 amendments are federally required due to the new requirements of 40 CFR 51.165(a)(13) which requires ammonia to be regulated as a PM<sub>2.5</sub> precursor and will only take effect when the federal requirement takes effect. Staff does not project any new or modified sources exceeding 100 tons per year of ammonia thresholds, so there will no environmental impact from the proposed reviews to Rules 101 and 207 and any potential affected sources would likely take a 100 tons per year cap. Therefore, staff has determined that it can be seen with certainty that there is no possibility that the adoption of the proposed reviews to Rules 101 and 207 may have a significant adverse effect on the environment. Thus, the project is





## **IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT**

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considered to be exempt from CEQA pursuant to CEQA Guidelines §15061 (b)(3) - Activities Covered by General Rule. Furthermore, the proposed project is categorically exempted from CEQA because the proposed amendments, if implemented, are considered actions to protect or enhance the environment pursuant to CEQA Guidelines §15308 – Actions by Regulatory Agencies for Protection of the Environment. Based on the information provided above, District staff concluded that the proposed revisions to Rules 101 and 207 would not have any significant adverse effect on the environment. In fact, it is with certainty that there is no possibility that the proposed revisions may have a significant effect on the environment therefore the project as proposed is not subject to CEQA. Staff is recommending the filing of a Notice of Exemption under the provisions of California Code of Regulations §15061(b)(3).

### **VIII RULE DEVELOPMENT PROCESS**

The District held several meetings with US EPA representatives via teleconference, to discuss the revisions to Rules 101 and 207. District Staff conducted a public workshop on August 09, 2018 to present, discuss and to receive comments on the proposed rulemaking. The District considered written comments received from the public, affected sources, CARB, and US EPA during the public workshop process and these comments have been incorporated into the proposed draft rules as appropriate.

A Public notice for a public hearing inviting the community to review and comment on the proposed revisions was published in the Imperial County local newspaper of greatest circulation, the Imperial Valley Press, on August 05, 2018, and the District's website.

Adoption by our Governing Board is scheduled for September 11, 2018, after which Rule 207 will be forwarded to US EPA for inclusion into the SIP.

### **IX RECOMMENDATIONS**

#### **A. APCD ADVISORY BOARD**

The Air Pollution Control District Advisory Board is scheduled to meet on August 23, 2018 to discuss the proposed revisions to Rules 101 and 207. The APCD Advisory Board recommended the approval of the revised rules, the staff report and its findings.

#### **B. STAFF RECOMMENDATION**

District staff recommends the adoption of the proposed revisions to Rules 101, Definitions, and Rule 207, New and Modified Stationary Source Review, and findings by the ICAPCD Board of Directors. After considering public comments at today's hearing, District staff recommends that this Air Board determine that the adoption of revised Rules 101 and 207 are exempt from CEQA and adopt these rules for inclusion in the Imperial County's State Implementation Plan (SIP).



## IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT

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### **X      DECLARATION OF FINDING**

The Imperial County Air Pollution Control District Board hereby finds as follows:

The adoption of the proposed revised rules for the Imperial County, is considered a project within the meaning of §21065 of the California Environmental Quality Act (CEQA).

The adoption of the staff report and its findings are exempt from the requirements of Public Resources Code Section 21000 et seq. under the CEQA Guidelines, in the California Code of Regulations §15061 (b)(3).

The District is a regulatory agency and the public agency with the principle responsibility for carrying out projects related to air pollution and the control thereof.

Clean air is a valuable and essential natural resource.

The proposed revised rules will serve to reduce the amount of criteria air pollutants introduced into the ambient air.

The adoption of the proposed revised rules will serve to enhance and protect the environment by controlling air pollutant sources of criteria pollutants.

There has been no evidence presented to suggest that the implementation of the proposed revised rules, the staff report, or its findings will have an adverse effect on the environment.

There has been no evidence presented to suggest that the implementation of the proposed revised rules, the staff report, or its findings will lead to or result in cumulative adverse impacts.

Health and Safety Code §40702 provides the authority to the District to enact and adopt the proposed revised rules.

The requirements of the proposed revised rules, the staff report, and its findings are clear and capable of being understood by those persons directly affected by it.

The proposed revised rules, the staff report, and its findings do not conflict with or contradict any existing statute, court decision, or state or federal regulation.

The requirements of the proposed revised rules, the staff report, and its findings are not duplicative of any existing state or federal regulation.

The proposed revised rules, the staff report, and its findings described herein will not significantly affect air quality or emissions limitations and therefore is exempt from



## **IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT**

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California Health and Safety Code section §40728.5 (d), which requires a socioeconomic impact analysis of the proposed action to be performed.

The Imperial County has a population of less than 500,000 people.

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